

USE PERMIT APPLICATION
CITY OF NEWPORT BEACH

No. 1494

Fee \$150.00

Planning Department
3300 Newport Boulevard
Phone (714) 673-2110

Applicant The Irvine Company Phone 644-3426

Mailing Address 550 Newport Center Drive, Newport Beach, Ca. 92660

Property Owner Same as above Phone _____

Mailing Address _____

Address of Property Involved Southwest corner Pacific Coast Highway
and Jamboree Road, Newport Beach, California

Purpose of Application (describe fully) To allow the construction of
a 626 dwelling unit apartment house complex.

Zone Unclassified Present Use Unimproved land

Legal Description of Property Involved (if too long, attach sheet)
See attached

[Signature] 10-15-70
Signature of Applicant or Agent Date

[Signature] 10-15-70
Signature of Owner Date

XX

DO NOT COMPLETE APPLICATION BELOW THIS LINE

Date Filed 10-19-1970 Fee Pd. 150⁰⁰ Receipt No. 31909

Hearing Date 11-5-1970 Publication Date 10-22-70 - 12-24-70

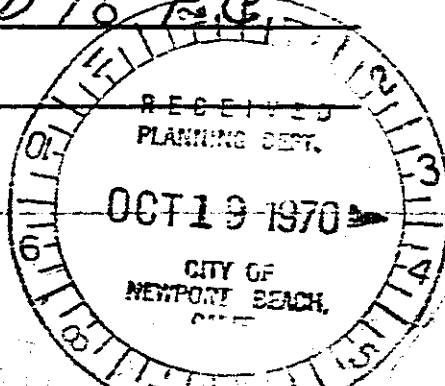
Posting Date 10-26-1970 Mail Date _____

P.C. Action DENIED

Date 1-5-1971 Appeal JAN. 19, 1971

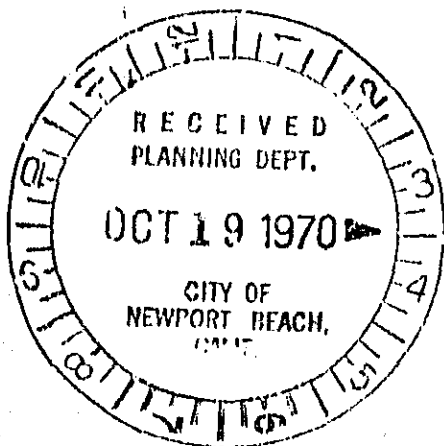
C.C. Hearing 2-8-1971 & 3/8/1971 C.C. Action RETURNED TO P.C.

TO ALLOW APPLICANT TO Date 3-8-1971
SUBMIT REVISED PLANS



FAUR, DEIN, FROST & ASSOCIATES
135 Rochester Street
Costa Mesa, California

Revised October 16, 1970
October 2, 1970
Job No. 11092
Page 1 of 2



DESCRIPTION

Exhibit "A" Promontory Point Lease Area

That certain land in the City of Newport Beach, County of Orange, State of California, being a portion of Block 94 of Irvine's Subdivision, as shown on a map, recorded in Book 1, page 88 of Miscellaneous Record Maps, records of Orange County, California, described as follows:

COMMENCING at that certain point described as being a concrete monument with brass disk, U.S.C. & G.S., "ORIGIN", Newport Bay Station No. 1, U.S. Engineers, as shown on a map of Tract 4003 recorded in Book 188, pages 13 through 19, inclusive of Miscellaneous Maps, records of said Orange County, California; thence North $69^{\circ}15'33''$ West 488.02 feet to a monument described as being a 4" X 4" concrete monument with nail (2 feet deep) as per C.S.T.B. 139-58 as shown on said map of Tract 4003; thence North $7^{\circ}53'47''$ West 194.55 feet to the southerly line of Parcel 1, as shown on a map recorded in Book 25, page 46 of Parcel Maps, records of said Orange County, California, said point being the TRUE POINT OF BEGINNING; thence along said southerly line the following courses: North $74^{\circ}01'24''$ East 173.87 feet to an angle point therein; thence North $36^{\circ}05'37''$ East 397.56 feet to the southwesterly right-of-way line of Coast Highway 101-A, 100.00 feet wide, as described in a deed to the State of California recorded May 20, 1931 in Book 487, page 3 of Official Records of said Orange County, California; said point being in a curve concave southwesterly having a radius of 1950.00 feet, a radial line from said point bears South $36^{\circ}05'37''$ West; thence along said southwesterly right-of-way line the following courses: southeasterly 166.75 feet along said curve through a central angle of $4^{\circ}53'58''$; thence South $49^{\circ}00'25''$ East 355.76 feet to the beginning of a tangent curve concave northeasterly having a radius of 2050.00 feet; thence southeasterly 1023.29 feet along said curve through a central angle of $28^{\circ}36'00''$; thence non-tangent to said curve South $77^{\circ}40'42''$ East 939.68 feet to the westerly right-of-way line of Jamboree Road as described in a deed to the City of Newport Beach recorded in Book 7849, page 976 of Official Records of said Orange County, California; thence along said westerly right-of-way line the following courses: South $32^{\circ}38'48''$ East 28.27 feet; thence South $12^{\circ}23'04''$ West 141.03 feet to the beginning of a tangent curve concave easterly, having a radius of 459.00 feet; thence southeasterly 144.85 feet along said right-of-way curve and along said westerly right-of-way line as described in a deed to the City of Newport Beach recorded July 29, 1965 in Book 7611, page 683 of Official Records of said Orange County, California, through a central angle of $18^{\circ}04'52''$ to the northeasterly corner of Parcel 4, as shown on a map, recorded in Book 11, Page 7 of Parcel Maps, records of said Orange County, California; thence along the northerly line of said land the following courses: North $75^{\circ}18'39''$ West 93.62 feet;



CITY OF NEWPORT BEACH

PLANNING DEPARTMENT

(714) 640-2137

March 18, 1980

cc: Mayor Ryckoff
City Manager
Dave Dmohowski-TIC
Jane Mosmann
1015 Dolphin Terr.,
CdM

Mr. Dan Lamkin, Vice President
Property Management
The Irvine Company
550 Newport Center Drive
Newport Beach, California 92660

Re: Use Permit No. 1494 - Promontory Point

Dear Mr. Lamkin:

Condition No. 18 of Use Permit No. 1494, as approved by the City Council on August 2, 1971, provides as follows:

18. There shall be no obstructions projecting above the south curb elevation of East Coast Highway within a triangle bounded by Jamboree Road, the easterly end of the south property line, and line projecting southwest from the intersection of East Coast Highway and Jamboree Road, at an angle to be determined by the Director of Community Development that will encompass the view of the Pavilion.

(Also see attached photos - the Pavilion is shown with a red dot.)

It has come to our attention that the landscaping located on the west side of Jamboree Road between Bayside Drive and Coast Highway has now matured to the point where it is obstructing the view of the Pavilion from the Coast Highway and from residences in Irvine Terrace. I would appreciate it if you would have a look at the situation and then let me know by Wednesday, March 26, 1980, as to what steps can be taken by The Irvine Company to trim the trees and prune the shrubbery in such a way as to restore the view which was to be protected by the condition noted above.

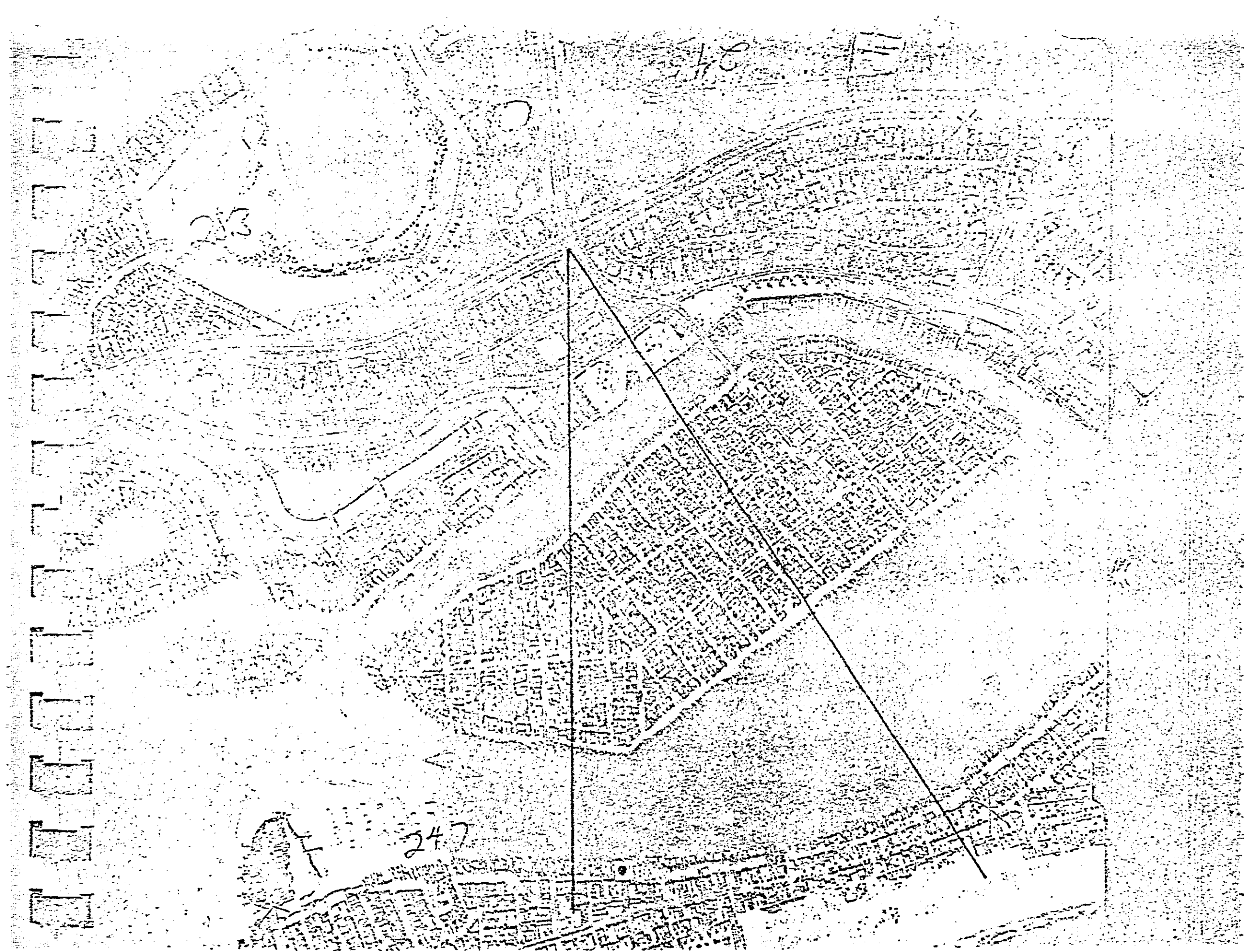
If you have any questions regarding this problem, I may be contacted at 640-2137.

Very truly yours,

PLANNING DEPARTMENT

JAMES D. HEWICKER
Planning Director

City Hall • 3300 Newport Boulevard, Newport Beach, California 92663



Bib

DATE

1/31

TO:

- ☐ MAYOR
- ☐ COUNCIL
- ☒ MANAGER
- ☐ ASST. TO MGR.
- ☐ ATTORNEY
- ☐ BUILDING
- ☐ CITY CLERK
- ☐ DATA PROCESS.
- ☐ FINANCE
- ☐ FIRE
- ☐ GENERAL SERV.

- ☐ LIBRARY
- ☐ MARINE
- ☐ PARKS & REC.
- ☐ PERSONNEL
- ☐ PLANNING
- ☐ POLICE
- ☐ PUBLIC WORKS
- ☐ PURCHASING
- ☐ TRAFFIC
- ☐ UTILITIES

FOR:

- ☐ ACTION & DISPOSITION
- ☐ FILE
- ☐ INFORMATION
- ☐ REVIEW & COMMENT
- ☐ RETURN

Wright
10/10

REMARKS:

Jane Morrison,
644 - 7700 lives alone
Jamcor at Prom. Pt.
their trees need cutting
back for view (Lansing)
She got from canal

FROM:

Paul Ryzekoff (anc)

John H.

DATE 1-31-80

TO:

☐ MAYOR

☐ COUNCIL

☐ MANAGER

☐ ASST. TO MGR.

☐ ATTORNEY

☐ BUILDING

☐ CITY CLERK

☐ DATA PROCESS.

☐ FINANCE

☐ FIRE

☐ GENERAL

☐ LIBRARY

☐ MARINE

☐ PARKS & REC.

☐ PERSONNEL

☒ PLANNING

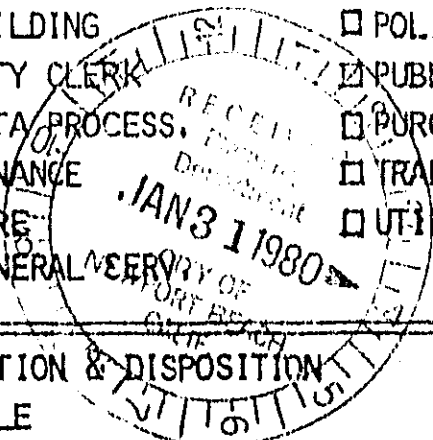
☐ POLICE

☒ PUBLIC WORKS

☐ PURCHASING

☐ TRAFFIC

☐ UTILITIES



FOR:

☐ ACTION & DISPOSITION

☐ FILE

☐ INFORMATION

☒ REVIEW & COMMENT

☐ RETURN

REMARKS: Please check 1494

(See Mayor's comment) and
let me know if
John can be called

FROM:

Robert W. Wynn

Kumasi, Permit
(land use?) 1494

Item 16, which
she feels obligated
TIC to keep an
open triangle there
for view, etc.

Could Staff see
if this is so?

January 27, 1975

Mrs. S. H. Dobrzensky
205 Edgewater
Balboa, California

Dear Mrs. Dobrzensky:

Your letter of November 29, 1974, regarding the tennis court lighting on Promontory Point has been forwarded to the City of Newport Beach by the Orange County District Attorney.

The Department of Community Development has investigated the problem and has contacted The Irvine Company regarding the adjustment of the lights and the installation of shields on those fixtures facing the bay.

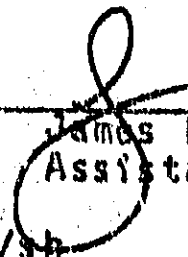
We have been advised by The Irvine Company that the lights have been adjusted and have verified that the shields which are now in place were installed the week of January 13, 1975.

Inasmuch as your dwelling at 205 Edgewater is approximately one mile from the tennis court site, I am confident that the measures which have been taken have eliminated the problem. However, if the nuisance should continue, please let me know.

Very truly yours,

DEPARTMENT OF COMMUNITY DEVELOPMENT
R. V. HOGAN, DIRECTOR

By


James D. Hawicker,
Assistant Director - Planning

JDH/sh

cc: City Attorney
The Irvine Company - Attention Bob Spooner
Promontory Point File

Jim H.
Ref
CITY OF NEWPORT BEACH

MEMORANDUM: From Hugh R. Coffin

~~TO: Jim Sinacek~~

January 3....., 1975.

~~Re:~~ Complaint over Tennis Court Lights at Promontory Point

Recently we received from the District Attorney's Office a copy of a letter sent to them November 29, 1974, complaining about the lights at the Promontory Point Development in Newport Beach.

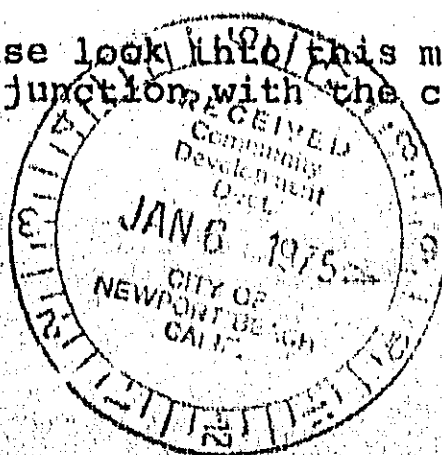
The complaint apparently hinges around the tennis court lighting and the allegation is made that it interferes with their normal living style on Balboa Island.

Could you please look into this matter to determine if anything can be done in conjunction with the complaint. Thank you for your consideration.

Reply wanted ☐

Reply not necessary ☐

NS-20



[Signature]
Hugh R. Coffin

By.....

November 29, 1974

The District Attorney
County of Orange
4601 S. Harbor Rd.
Newport Beach, Calif.

Dear Sir:

I wish to complain of a public nuisance
and ask that you use your good offices
to abate it.

I refer to the Tennis court lights at
Pommentary Point Development in Newport
Beach which are inadequately shielded
and glare offensively.

My husband and I own property
at 205 Edgewater, Balboa, and the
lights glare into our living room and
bedrooms. The glare must also surely
interfere with boats navigating on the
bay at night. The intense light is also
unnecessarily unsightly.

Simple shielding would eliminate
the nuisance without affecting the
Tennis courts. I would be surprised
if the close neighbors were not
victims of even greater discomfort.

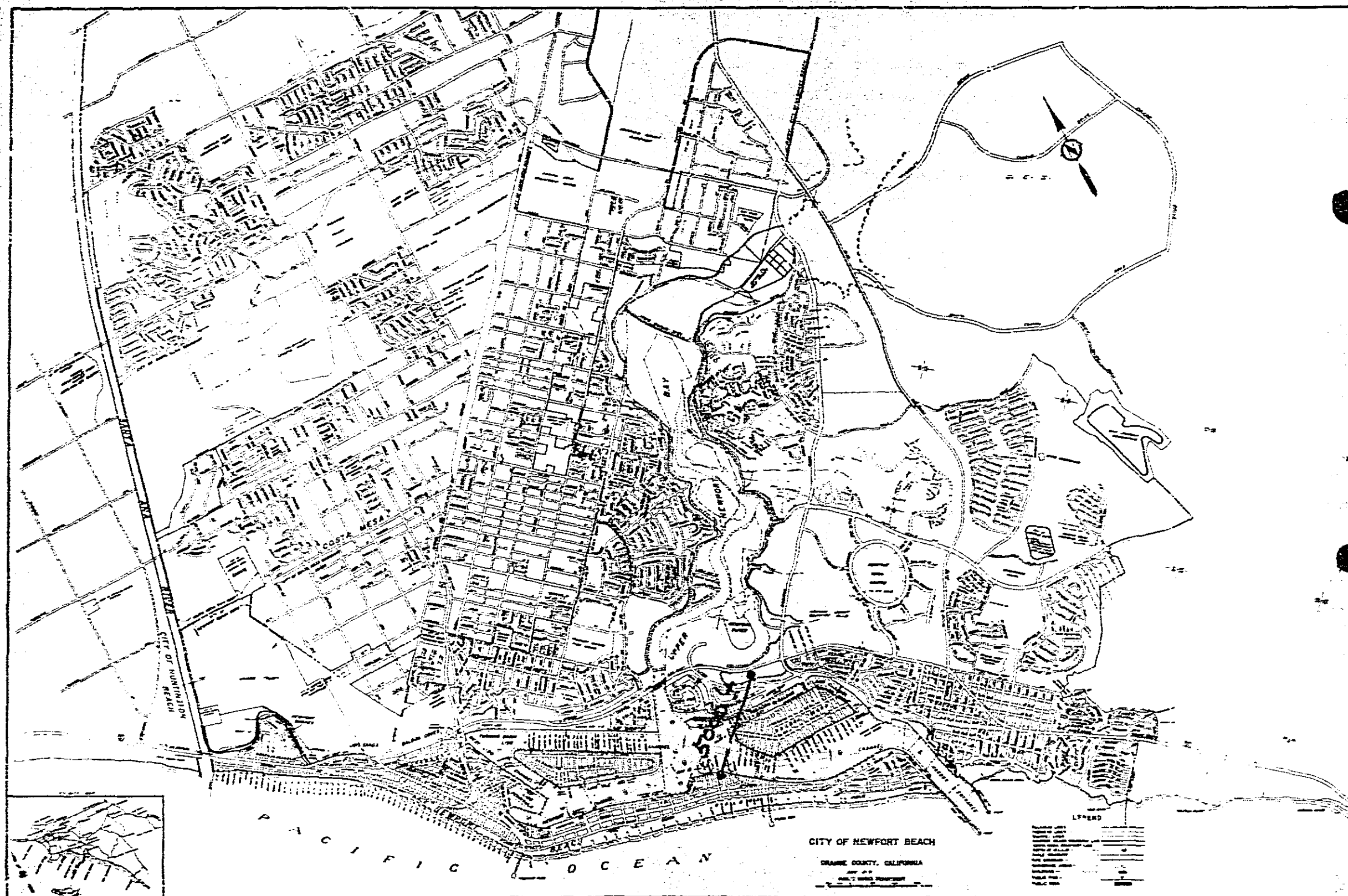
Your early action is requested.

Sincerely,

Jean St. Johnsky (Mrs. S.H.)

205 Edgewater
Balboa, Calif.

J. S. Dolguzensky
205 Edgewater
Berkeley, Calif.



10389

Bk 11218 Pg 764

EXEMPT
C5

Recording requested by
Safeco Title Ins. Co.

WHEN RECORDED, MAIL TO:

THE IRVINE COMPANY
550 Newport Center Drive
Newport Beach, California 92660Attn: R. A. Spocner
Director of Construction
Multi-Family DivisionRecorded in Official Records
of Orange County, California

52 Mins. Past 10 AM Aug. 12, 1974

J. Wylie Carlyle, County Recorder

(Space above this line for Recorder's use)

PUBLIC EASEMENTS

THE IRVINE COMPANY, a West Virginia corporation, hereby grants to the City of Newport Beach, a municipal corporation, the following described easements situated in the City of Newport Beach, County of Orange, State of California:

Reference hereafter to Exhibit "A" is a reference to Exhibit "A" attached hereto and made a part hereof.

1. Vehicular Ingress-Egress: Over Parcel A as described on Exhibit "A" for vehicular ingress-egress.

RESERVING UNTO GRANTOR, its successors and assigns:

(i) The right to erect and thereafter staff, operate and/or maintain an entry gate for the purpose of controlling access from said Parcel A to adjacent properties owned by Grantor so long as members of the public are not denied access to or unreasonably delayed in gaining access to all or part of said Parcel A.

(ii) The right to construct and thereafter maintain islands within said Parcel A over which vehicular access may be restricted, which islands may be used for the purpose of landscaping and the maintenance thereon of fire and utility control panels and appropriate signs.

2. Over Parcels B, D, E, F, G, and I as described on Exhibit "A" for the purpose of pedestrian and non-motor driven bicycle ingress and egress.

RESERVING UNTO GRANTOR, its successors and assigns, and the owners, users and/or occupants of adjacent property:

(i) The right to have buildings and other structures or portions thereof encroach over said parcels so long as such encroachments do not unreasonably interfere with the use of such easement for the purpose of pedestrian and non-motor driven bicycle ingress and egress.

(ii) The right of garage doors or other access ways forming part of adjacent buildings or structures to open across such parcels; and

(iii) The right to cross such easement for the purpose of gaining access to and from adjacent property, which right of access shall include, without limitation, the right to cross over such parcels for all kinds of vehicles or things.

This is to certify that the interest in real property conveyed by the deed or grant dated August 7, 1974, from

THE IRVINE COMPANY, a West Virginia Corporation

to the City of Newport Beach, a municipal corporation, is hereby accepted

by the City Manager on the 7th day of August,

1974, and the grantee consents to recordation thereof by its duly authorized officer.

ROBERT L. WYNN, City Manager

Robert L. Wynn

Dated: August 7, 1974

Authorized by Council Resolution No. 6773

3. Vehicular Ingress and Egress: Over Parcels K, L, M, N, and O as described on Exhibit "A" for vehicular ingress and egress.

4. Viewpoint Easements: Over Parcels C, H and J for the purpose of enjoying the view, if any, which may be had from such parcels.

RESERVING UNTO GRANTOR, its successors and assigns, the right to construct and thereafter maintain islands within said Parcels over which vehicular access may be restricted, which islands may be used for the purpose of landscaping and the maintenance thereon of fire and utility control panels and appropriate signs.

RESERVING UNTO GRANTOR, its successors and assigns, with respect to all of the Parcels and Easements above described, the right to use said Parcels for any purpose that will not unreasonably interfere with the use by Grantee of the easements granted hereby including, but not limited to, the rights to construct, relocate, repair, maintain and use paved or otherwise improved areas, pipelines or utility facilities in, on, over, across, under and along said parcels.

Dated: August 7, 1974

THE IRVINE COMPANY SEAL

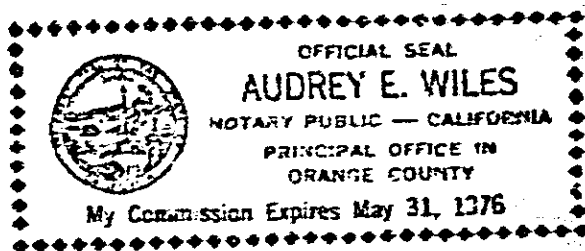
By [Signature] Vice President

By [Signature] Assistant Secretary

STATE OF CALIFORNIA)
) SS
County of Orange)

On August 7, 1974, before me, the undersigned, a Notary Public in and for said State, personally appeared W. R. Watt, known to me to be the Vice President, and Sheldon Smart, known to me to be Assistant Secretary of the corporation that executed the within instrument, known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.



Audrey E. Wiles
Notary Public in and for said State

RAUB, BEIN, FROST & ASSOCIATES
 1401 Quail Street
 Newport Beach, California

Revised July 25, 1974
 May 28, 1974
 Job No. 15128-A
 Page 1 of 10

DESCRIPTION

Public Easements Within Promontory Point Development Area

Those portions of Parcels 1 and 3, in the City of Newport Beach, County of Orange, State of California, as shown on map filed in Book 49, page 15 of Parcel Maps, in the office of the County Recorder of said County, described as follows:

PARCEL A - Vehicular Ingress-Egress Easement

BEGINNING at the westerly terminus of that certain course in the northerly boundary of said Parcel 1, shown on said map as having a bearing and distance of "North 77°40'42" West, 939.68 feet"; thence along said course, South 77°40'42" East, 33.89 feet to a point in a non-tangent curve, concave southeasterly and having a radius of 35.00 feet, a radial line of said curve from said point bears South 27°09'58" East; thence southwesterly and southerly along said curve 28.96 feet through a central angle of 47°24'29"; thence tangent to said curve, South 15°25'33" West, 69.69 feet to the beginning of a tangent curve, concave westerly and having a radius of 250.00 feet; thence southerly and southwesterly along said curve 47.63 feet through a central angle of 10°54'57"; thence tangent to said curve, South 26°20'30" West, 37.85 feet to the beginning of a tangent curve, concave easterly and having a radius of 100.00 feet; thence southwesterly and southerly along said curve 19.05 feet through a central angle of 10°54'57"; thence tangent to said curve, South 15°25'33" West, 6.46 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 30.00 feet; thence southerly, southeasterly and easterly along said curve 45.11 feet through a central angle of 86°09'03"; thence tangent to said curve, South 70°43'30" East, 60.35 feet; thence South 11°02'20" West, 51.88 feet to a point in a non-tangent curve, concave southerly and having a radius of 10.00 feet, a radial line of said curve from said point bears South 14°55'56" West; thence westerly and southwesterly along said curve 10.83 feet through a central angle of 62°02'55"; thence tangent to said curve, South 42°53'01" West, 25.83 feet to the beginning of a tangent curve, concave northerly and having a radius of 45.00 feet; thence southwesterly and westerly along said curve 52.14 feet through a central angle of 66°23'29"; thence tangent to said curve, North 70°43'30" West, 95.05 feet to the beginning of a tangent curve, concave easterly and having a radius of 45.00 feet; thence westerly, northerly and northeasterly along said curve 78.99 feet through a central angle of 100°34'05";

Raub, Bein, Frost & Associates - Description
Public Easements Within Promontory Point
Development Area

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thence tangent to said curve, North 29°50'35" East, 7.48 feet to the beginning of a tangent curve, concave westerly and having a radius of 5.00 feet; thence northeasterly, northerly and westerly along said curve 9.08 feet through a central angle of 104°01'09"; thence along the prolongation of a line radial to said curve, North 15°49'25" East, 41.56 feet; thence South 70°43'30" East, 41.64 feet to the beginning of a tangent curve, concave northwesterly and having a radius of 30.00 feet; thence easterly, northeasterly and northerly along said curve 49.14 feet through a central angle of 93°50'57" to the beginning of a compound curve, concave westerly and having a radius of 100.00 feet, a radial line of said curve from said point of compound curvature bears North 74°34'27" West; thence northerly along said compound curve 19.05 feet through a central angle of 10°54'57" thence tangent to said curve, North 4°30'35" East, 37.85 feet to the beginning of a tangent curve, concave easterly and having a radius of 250.00 feet; thence northerly along said curve 47.63 feet through a central angle of 10°54'57"; thence tangent to said curve, North 15°25'33" East, 64.01 feet to the beginning of a tangent curve, concave westerly and having a radius of 35.00 feet; thence northerly and northwesterly along said curve 31.59 feet through a central angle of 51°42'28" to the non-tangent intersection thereof with the northerly boundary of said Parcel 1, said northerly boundary being a curve, concave northeasterly and having a radius of 2050.00 feet, a radial line of said 2050.00 foot radius curve from said intersection bears North 13°53'51" East; thence easterly along said 2050.00 foot radius curve 53.63 feet through a central angle of 1°30'16" to the POINT OF BEGINNING.

PARCEL B - Pedestrian and Bicycle Ingress-Egress Easement

A strip of land 5.00 feet in width, the southerly and easterly line-thereof being described as follows:

BEGINNING at a point in the southwesterly boundary of said Parcel 1, distant thereon North 41°16'41" West, 23.00 feet from the southeasterly terminus of that certain course therein, shown on said map as having a bearing and distance of "North 41°16'41" West, 96.93 feet", said point being the beginning of a non-tangent curve, concave northwesterly and having a radius of 15.00 feet, a radial line of said curve from said point bears North 4°24'32" West; thence easterly, northerly and northwesterly along said curve 29.67 feet through a central angle of 113°20'18"; thence tangent to said curve, North 27°44'50" West, 5.00 feet to the beginning of a tangent curve, concave southeasterly and having a radius of 64.00 feet; thence northwesterly, northerly and easterly along said curve 114.80 feet through a central angle of 102°45'14"; thence tangent to said curve, North 75°01'24" East, 72.56 feet to the beginning of a tangent curve, concave northwesterly and having a radius of 20.00 feet; thence easterly and northerly along said curve 20.82 feet through a central angle of 59°37'45"; thence tangent to said curve, North 15°23'39" East, 14.37 feet to the beginning of a tangent curve, concave southeasterly and having a radius of 88.00 feet; thence northerly and northeasterly along said curve 29.69 feet through a central angle of 19°19'46" to the beginning of a compound curve, concave southeasterly and having a radius of 374.00 feet, a radial line of said curve from said point of compound curvature bears South 55°16'35" East;

Raub, Bein, Frost & Associates - Description
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Development Area

Revised July 25, 1974
May 28, 1974
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thence northeasterly along said compound curve 10.50 feet through a central angle of $1^{\circ}35'30''$ to a point hereinafter referred to as "Point 'A'"; thence continuing northeasterly along said curve 81.17 feet through a central angle of $12^{\circ}26'05''$ to a point hereinafter referred to as "Point 'B'"; a radial line of said curve from said point bears South $41^{\circ}14'00''$ East.

The curved northerly line of said strip of land is to be continued westerly so as to terminate westerly in said course in said southwesterly boundary of said Parcel 1.

PARCEL C - View Point Easement

BEGINNING at "Point 'B'" as hereinbefore mentioned in Parcel B above; thence continuing northeasterly along said 374.00 foot radius curve described in said Parcel B, a distance of 45.17 feet through a central angle of $6^{\circ}55'15''$; thence tangent to said curve. North $55^{\circ}41'15''$ East, 27.00 feet to the beginning of a tangent curve, concave southerly and having a radius of 104.00 feet; thence northeasterly and easterly along said curve 103.66 feet through a central angle of $57^{\circ}06'35''$ to the beginning of a reverse curve, concave northwesterly and having a radius of 2.50 feet, a radial line of said reverse curve from said point of reverse curvature bears North $22^{\circ}47'50''$ East; thence easterly and northerly along said reverse curve 3.93 feet through a central angle of $90^{\circ}00'00''$; thence tangent to said curve, North $22^{\circ}47'50''$ East, 14.97 feet; thence North $23^{\circ}58'34''$ East, 14.49 feet; thence North $55^{\circ}49'00''$ West, 64.99 feet; thence South $32^{\circ}41'00''$ West, 19.90 feet; thence South $64^{\circ}59'00''$ West, 12.42 feet; thence South $46^{\circ}54'00''$ West, 21.22 feet; thence South $58^{\circ}19'00''$ West, 47.60 feet; thence North $78^{\circ}40'00''$ West, 7.64 feet; thence South $41^{\circ}33'00''$ West, 30.11 feet; thence South $26^{\circ}49'00''$ West, 35.27 feet to a point distant North $41^{\circ}14'00''$ West, 5.00 feet from the Point of Beginning; thence South $41^{\circ}14'00''$ East, 5.00 feet to the POINT OF BEGINNING.

PARCEL D - Pedestrian and Bicycle Ingress-Egress Easement

A strip of land 6.00 feet in width, the centerline thereof being described as follows:

BEGINNING at "Point 'A'" as hereinbefore mentioned in Parcel B above; thence South $55^{\circ}16'35''$ East, 45.90 feet to the beginning of a tangent curve, concave northerly and having a radius of 7.00 feet; thence southeasterly and easterly along said curve 4.07 feet through a central angle of $33^{\circ}20'25''$; thence tangent to said curve, South $38^{\circ}37'00''$ East, 4.24 feet; thence South $1^{\circ}23'00''$ West, 74.68 feet to the beginning of a tangent curve, concave easterly and having a radius of 17.00 feet; thence southerly and southeasterly along said curve 13.35 feet through a central angle of $45^{\circ}00'00''$; thence tangent to said curve, South $43^{\circ}37'00''$ East, 206.02 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 16.00 feet;

Raub, Bein, Frost & Associates - Description
Public Easements Within Promontory Point
Development Area

Revised July 25, 1974
May 28, 1974
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thence southeasterly and easterly along said curve 12.57 feet through a central angle of 45°00'00"; thence tangent to said curve, South 88°37'00" East, 84.69 feet to a point in a non-tangent curve, concave northeasterly and having a radius of 914.50 feet, a radial line of said curve from said point bears North 42°31'20" East; thence southeasterly along said curve 105.76 feet through a central angle of 6°37'34"; thence non-tangent to said curve, South 13°22'44" East, 85.36 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 16.00 feet; thence southerly and southeasterly along said curve 12.57 feet through a central angle of 45°00'00"; thence tangent to said curve, South 58°22'44" East, 206.44 feet to the beginning of a tangent curve, concave northerly and having a radius of 16.00 feet; thence southeasterly and easterly along said curve 12.57 feet through a central angle of 45°00'00"; thence tangent to said curve, North 76°37'16" East, 67.27 feet; thence South 13°22'44" East, 25.50 feet; thence South 66°51'00" East, 78.50 feet; thence South 23°09'00" West, 44.00 feet; thence South 66°51'00" East, 130.00 feet to a point hereinafter referred to as "Point 'C'"; thence North 23°09'00" East, 49.50 feet; thence South 66°51'00" East, 55.00 feet; thence North 60°49'26" East, 36.95 feet; thence South 29°10'34" East, 66.31 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 16.00 feet; thence southeasterly and easterly along said curve 12.57 feet through a central angle of 45°00'00"; thence tangent to said curve, South 74°10'34" East, 206.44 feet to the beginning of a tangent curve, concave northerly and having a radius of 16.00 feet; thence easterly and northeasterly along said curve 12.57 feet through a central angle of 45°00'00"; thence tangent to said curve, North 60°49'26" East, 40.26 feet to a point hereinafter referred to as "Point 'D'"; thence North 60°49'26" East, 2.50 feet.

The sidelines of said strip of land are to be prolonged or shortened so as to terminate northwesterly in that certain curve described in Parcel B above as being concave southeasterly and having a radius of 374.00 feet.

PARCEL E - Pedestrian and Bicycle Ingress-Egress Easement

A strip of land 5.00 feet in width, the centerline thereof being described as follows:

BEGINNING at "Point 'D'" as hereinbefore mentioned in Parcel D above; thence South 29°10'34" East, 62.45 feet to a point in a non-tangent curve, concave southwesterly and having a radius of 32.50 feet, said curve forming a point of reverse curvature at its southeasterly terminus with a curve, concave northeasterly, that is concentric with and distant 2.50 feet southwesterly, measured radially, from that certain curve described in Parcel A above as having a radius of 45.00 feet, an arc length of 78.99 feet and a central angle of 100°34'05"; thence easterly and southeasterly along said non-tangent curve 39.66 feet through a central angle of 69°55'02" to said point of reverse curvature; thence southeasterly and easterly along said reverse curve 36.05 feet through a central angle of 43°29'03" to a point of tangency with a line that is parallel with and distant 2.50 feet southerly, measured at right angles, from that certain course recited in said Parcel A as "North 70°43'30" West, 95.05 feet", said point being hereinafter referred to as "Point 'E'";

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thence along said parallel line, South $70^{\circ}43'30''$ East, 95.05 feet to the beginning of a tangent curve, concave northerly, that is concentric with and distant 2.50 feet southerly, measured radially, from that certain curve described in said Parcel A as having a radius of 45.00 feet, an arc length of 14 feet and a central angle of $66^{\circ}23'29''$; thence easterly along said concentric curve 27.83 feet through a central angle of $33^{\circ}34'20''$ to the beginning of a reverse curve, concave southerly and having a radius of 37.50 feet, a radial line of said reverse curve from said point of reverse curvature bears South $14^{\circ}17'50''$ East; thence easterly and southeasterly along said reverse curve 32.66 feet through a central angle of $49^{\circ}53'50''$; thence tangent to said curve, South $54^{\circ}24'00''$ East, 67.74 feet to a point in a line that is parallel with and distant 10.00 feet northwesterly, measured at right angles, from that certain course in the northwesterly boundary of Parcel 2 of said Parcel Map, having a bearing and distance of "North $35^{\circ}36'00''$ East, 158.16 feet"; said point being hereinafter referred to as "Point 'F'"; thence South $54^{\circ}24'00''$ East, 7.39 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 22.50 feet; thence southeasterly and easterly along said curve 9.65 feet through a central angle of $24^{\circ}33'40''$; thence tangent to said curve, South $78^{\circ}57'40''$ East, 197.60 feet to the beginning of a tangent curve, concave northerly and having a radius of 380.00 feet; thence easterly along said curve 47.92 feet through a central angle of $7^{\circ}13'32''$; thence tangent to said curve, South $85^{\circ}11'12''$ East, 51.48 feet to the beginning of a tangent curve, concave southerly and having a radius of 350.00 feet; thence easterly along said curve 113.12 feet through a central angle of $18^{\circ}00'12''$; thence tangent to said curve, South $68^{\circ}11'00''$ East, 100.97 feet to the beginning of a tangent curve, concave northerly and having a radius of 380.00 feet, said curve being also tangent at its easterly terminus to a line that is parallel with and distant 2.50 feet northerly, measured at right angles, from that certain course in the southerly boundary of said Parcel 3, shown on said map as having a bearing and distance of "North $82^{\circ}43'03''$ West, 210.75 feet"; thence easterly along said curve 96.39 feet through a central angle of $14^{\circ}32'03''$ to said easterly terminus; thence tangent to said curve, South $22^{\circ}43'03''$ East, 35.65 feet to the beginning of a tangent curve, concave northerly and having a radius of 100.00 feet; thence easterly and north-easterly along said curve 62.86 feet through a central angle of $36^{\circ}00'57''$; thence tangent to said curve, North $61^{\circ}16'00''$ East, 33.79 feet to the beginning of a tangent curve, concave southerly and having a radius of 37.50 feet; thence northeasterly, easterly and southeasterly along said curve 50.18 feet through a central angle of $76^{\circ}40'00''$; thence tangent to said curve, South $42^{\circ}04'00''$ East, 26.50 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 27.50 feet; thence southeasterly and easterly along said curve 20.27 feet through a central angle of $42^{\circ}14'00''$ to the beginning of a reverse curve, concave southerly and having a radius of 60.00 feet, a radial line of said reverse curve from said point of reverse curvature bears South $5^{\circ}42'00''$ West, said point being hereinafter referred to as "Point 'G'"; thence easterly along said reverse curve 15.74 feet through a central angle of $15^{\circ}01'43''$ to the southerly boundary of said Parcel 3.

EXCEPT therefrom that portion thereof included within that certain strip of land, 6.00 feet in width, described in said Parcel D.

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PARCEL F - Pedestrian and Bicycle Ingress-Egress Easement

A strip of land 5.00 feet in width, the centerline thereof being described as follows:

BEGINNING at "Point 'G'" hereinbefore mentioned in Parcel E above; thence easterly and northerly along the continuation of that certain curve described in said Parcel E as having a radius of 27.50 feet, an arc length of 20.27 feet and a central angle of $42^{\circ}14'00''$, a distance of 34.60 feet through a central angle of $72^{\circ}05'33''$ to the easterly boundary of said Parcel Map, being a curve, concave easterly and having a radius of 459.00 feet.

EXCEPT therefrom that portion thereof included within that certain strip of land, 5.00 feet in width, described in said Parcel E.

The sidelines of said strip of land described in Parcel F herein are to be continued or shortened so as to terminate in said curve having a radius of 459.00 feet.

PARCEL G - Pedestrian Ingress-Egress Easement

A strip of land 3.00 feet in width, the centerline thereof being described as follows:

BEGINNING at "Point 'C'" as hereinbefore mentioned in Parcel D above; thence South $66^{\circ}51'00''$ East, 19.23 feet; thence South $15^{\circ}49'26''$ West, 49.91 feet; thence North $66^{\circ}51'00''$ West, 19.00 feet; thence South $23^{\circ}09'00''$ West, 163.63 feet to the southerly boundary of said Parcel 1, being a curve, concave northerly and having a radius of 757.00 feet.

EXCEPT therefrom that portion thereof included within that certain strip of land, 6.00 feet in width, described in said Parcel D.

The sidelines of said strip of land 3.00 feet in width are to be prolonged or shortened so as to terminate southerly in said curve having a radius of 757.00 feet.

PARCEL H - View Point Easement

BEGINNING at a point distant South $19^{\circ}16'30''$ West, 2.50 feet from "Point 'E'" as hereinbefore mentioned in Parcel E above; thence South $70^{\circ}43'30''$ East, 95.05 feet to the beginning of a tangent curve, concave northerly, that is concentric with and distant 2.50 feet southerly, measured radially, from that certain curve described in said Parcel E as having a radius of 47.50 feet, an arc length of 27.83 feet and a central angle of $33^{\circ}34'20''$; thence easterly along said concentric curve 6.97 feet through a central angle of $7^{\circ}59'24''$; thence South $19^{\circ}16'30''$ West, 10.49 feet;

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thence North 70°43'30" West, 108.00 feet; thence North 19°16'30" East, 10.36 feet to a point in a curve, concave northerly, that is concentric with and distant 2.50 feet southerly, measured radially, from that certain curve described in said Parcel E as having a radius of 47.50 feet, an arc length of 36.05 feet and a central angle of 43°29'08"; thence easterly along said concentric curve 6.02 feet through a central angle of 6°53'32" to the POINT OF BEGINNING.

PARCEL I - Pedestrian Ingress-Egress Easement

A strip of land 5.00 feet in width, the northwesterly and westerly line thereof being described as follows:

BEGINNING at "Point 'F'" as hereinbefore mentioned in Parcel E above; thence parallel with that certain course in the northwesterly boundary of Parcel 2 of said Parcel Map, having a bearing and distance of "North 35°36'00" East, 158.16 feet", South 35°36'00" West, 176.28 feet to the beginning of a tangent curve, concave easterly and having a radius of 25.00 feet; thence southwesterly and southerly along said curve 25.83 feet through a central angle of 59°12'11" to the southwesterly boundary of said Parcel 1.

EXCEPT therefrom that portion thereof included within that certain strip of land, 5.00 feet in width, described in said Parcel E.

The curved easterly line of said strip of land, 5.00 feet in width, herein described in Parcel I, is to be prolonged so as to terminate in that certain curve in the westerly boundary of Parcel 2 of said Parcel Map, shown thereon as having a radius of 20.00 feet.

PARCEL J - View Point Easement

BEGINNING at the easterly terminus of that certain course in the southerly boundary of said Parcel 3, shown on said map as having a bearing and distance of "North 82°43'03" West, 210.75 feet"; thence along said southerly boundary, North 82°43'03" West, 141.51 feet; thence North 12°03'11" East, 25.75 feet to a point hereinafter referred to as "Point 'H'"; thence South 77°56'49" East, 26.00 feet; thence North 12°03'11" East, 17.50 feet; thence South 77°56'49" East, 7.39 feet to the beginning of a tangent curve, concave northerly and having a radius of 60.00 feet; thence easterly and northeasterly along said curve 47.12 feet through a central angle of 45°00'00"; thence tangent to said curve, North 57°03'11" East, 41.00 feet to a point hereinafter referred to as "Point 'I'"; thence South 12°50'11" East, 86.02 feet to the POINT OF BEGINNING.

PARCEL K - Vehicular Ingress-Egress Easement

A strip of land 28.00 feet in width, the centerline thereof being described as follows:

BEGINNING at "Point 'I'" as hereinbefore mentioned in Parcel K above; thence North 32°56'49" West, 14.00 feet to the TRUE POINT OF BEGINNING; thence

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South 57°03'11" West, 41.00 feet to the beginning of a tangent curve, concave northerly and having a radius of 46.00 feet; thence southwesterly and westerly along said curve 36.13 feet through a central angle of 45°00'00"; thence tangent to said curve, North 77°56'49" West, 204.77 feet to the beginning of a tangent curve, concave northerly and having a radius of 46.00 feet; thence westerly and northwesterly along said curve 12.29 feet through a central angle of 15°18'48"; thence tangent to said curve, North 62°38'01" West, 13.18 feet to the beginning of a tangent curve, concave southerly and having a radius of 46.00 feet; thence northwesterly and westerly along said curve 12.61 feet through a central angle of 15°42'08"; thence tangent to said curve, North 78°20'09" West, 139.00 feet to the beginning of a tangent curve, concave southerly and having a radius of 46.00 feet; thence westerly along said curve 15.89 feet through a central angle of 19°47'17"; thence tangent to said curve, South 81°52'34" West, 25.26 feet to the beginning of a tangent curve, concave northerly and having a radius of 46.00 feet; thence westerly along said curve 15.39 feet through a central angle of 19°09'46"; thence tangent to said curve, North 78°57'40" West, 217.49 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 50.00 feet; thence westerly and northwesterly along said curve 39.27 feet through a central angle of 45°00'00"; thence tangent to said curve, North 33°57'40" West, 54.12 feet to the beginning of a tangent curve, concave southwesterly and having a radius of 100.00 feet; thence northwesterly along said curve 22.96 feet through a central angle of 13°09'19" to the most easterly line of the land described in Parcel A above, being that certain course described therein as having a bearing and distance of "South 11°02'20" West, 51.88 feet".

The sidelines of said strip of land are to be continued or shortened so as to terminate northwesterly in said most easterly line.

PARCEL L - Vehicular Ingress-Egress Easement

A strip of land 28.00 feet in width, the centerline thereof being described as follows:

BEGINNING at a point in that certain course in the westerly boundary of the land described in Parcel A above, described therein as having a bearing and distance of "North 15°49'26" East, 41.56 feet", distant thereon North 15°49'26" East, 15.48 feet from the southerly terminus of said course, being also the beginning of a non-tangent curve, concave southerly and having a radius of 100.00 feet, a radial line of said curve from said point bears South 3°50'50" East; thence westerly and southwesterly along said curve 44.21 feet through a central angle of 25°19'44"; thence tangent to said curve, South 60°49'26" West, 56.04 feet to the beginning of a tangent curve, concave northerly and having a radius of 46.00 feet; thence southwesterly and westerly along said curve 36.13 feet through a central angle of 45°00'00"; thence tangent to said curve, North 74°10'34" West, 311.73 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 30.00 feet; thence westerly and northwesterly along said curve 17.67 feet through a central angle of 33°45'14"; thence tangent to said curve, North 40°25'20" West, 24.69 feet to the beginning of a tangent curve, concave southwesterly and having a radius of 30.00 feet; thence northwesterly along said curve 13.84 feet through a central angle of 26°25'40";

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thence tangent to said curve, North 66°51'00" West, 23.38 feet to a point hereinafter referred to as "Point 'J'"; thence North 66°51'00" West, 116.62 feet to the beginning of a tangent curve, concave southerly and having a radius of 30.00 feet; thence northwesterly and westerly along said curve 19.41 feet through a central angle of 37°03'45"; thence tangent to said curve, South 76°05'15" West, 25.31 feet to the beginning of a tangent curve, concave northerly and having a radius of 30.00 feet; thence westerly and northwesterly along said curve 22.54 feet through a central angle of 43°02'35" to the beginning of a compound curve, concave northeasterly and having a radius of 1800.00 feet; thence northwesterly along said compound curve 78.24 feet through a central angle of 2°29'26"; thence tangent to said curve, North 58°22'24" West, 212.80 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 1000.00 feet; thence northwesterly along said curve 257.65 feet through a central angle of 14°45'44"; thence tangent to said curve, North 43°37'00" West, 243.89 feet to the beginning of a tangent curve, concave easterly and having a radius of 74.00 feet, said curve being concentric with and distant 14.00 feet easterly, measured radially, from that certain curve, and southerly and southeasterly continuation thereof, described in Parcel B above as having a radius of 88.00 feet and an arc length of 29.69 feet; thence northwesterly, northerly and northeasterly along said concentric curve 101.18 feet through a central angle of 78°20'25" to the beginning of a compound curve, concave southeasterly and having a radius of 360.00 feet, a radial line of said curve from said point being that certain radial line described in said Parcel B as having a bearing of South 55°16'35" East; thence northeasterly along said curve 131.72 feet through a central angle of 20°57'50"; thence tangent to said curve, North 55°41'15" East, 27.00 feet to the beginning of a tangent curve, concave southerly and having a radius of 90.00 feet; thence northeasterly and easterly along said curve 113.74 feet through a central angle of 72°24'37" to a point hereinafter referred to as "Point 'K'".

The sidelines of said strip of land at its point of beginning are to be continued or shortened so as to terminate easterly in that certain course in the westerly boundary of the land described in Parcel A above, described therein as having a bearing and distance of "North 15°49'26" East, 41.56 feet".

PARCEL M - Vehicular Ingress-Egress Easement

BEGINNING at "Point 'K'" as hereinbefore mentioned in Parcel L above; thence along the prolongation of a line radial to the 90.00 foot radius curve described in said Parcel L, North 38°05'52" East, 14.00 feet to the TRUE POINT OF BEGINNING; thence North 38°05'52" East, 17.50 feet to a point in a non-tangent curve, concave southwesterly and having a radius of 121.50 feet, a radial line of said curve from said point bears South 38°05'52" West; thence northwesterly along said curve 30.37 feet through a central angle of 14°19'11"; thence non-tangent to said curve, South 22°47'50" West, 17.50 feet to the northeasterly line of that certain strip of land, 28.00 feet in width, described in said Parcel L, being a curve, concave southwesterly and having a radius of 104.00 feet, a radial line of said curve from said point bears South 24°10'28" West; thence southeasterly along said curve 25.27 feet through a central angle of 13°55'24" to the TRUE POINT OF BEGINNING.

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PARCEL N - Vehicular Ingress-Egress Easement


BEGINNING at "Point 'J'" hereinbefore mentioned in Parcel L above; thence South 23°09'00" West, 14.00 feet to the TRUE POINT OF BEGINNING; thence South 23°09'00" West, 24.00 feet; thence South 66°51'00" East, 20.00 feet; thence North 23°09'00" East, 24.00 feet; thence North 66°51'00" West, 20.00 feet to the TRUE POINT OF BEGINNING.

PARCEL O - Vehicular Ingress-Egress Easement

BEGINNING at "Point 'H'" as hereinbefore mentioned in Parcel J above; thence South 77°56'49" East, 26.00 feet; thence North 12°03'11" East, 17.50 feet to a line that is parallel with and distant 14.00 feet southerly, measured at right angles, from that certain course recited in Parcel K above as "North 77°56'49" West, 204.77 feet"; thence along said parallel line, North 77°56'49" West, 26.00 feet; thence South 12°03'11" West, 17.50 feet to the POINT OF BEGINNING.

SUBJECT TO: All Covenants, Rights, Rights-of-Way and Easements of Record.

EXHIBIT "B" attached and by this reference made a part hereof.


WILLIAM J. FROST, Land Surveyor

City of Newport Beach

3300 Newport Boulevard Newport Beach, California 92660

714/673-2110

August 7, 1974

The Irvine Company
500 Newport Center Drive
Newport Beach, California 92660

Attention: Mr. R. A. Spooner
Director of Construction
Multi-Family Division

Re: Promontory Point Public Easements

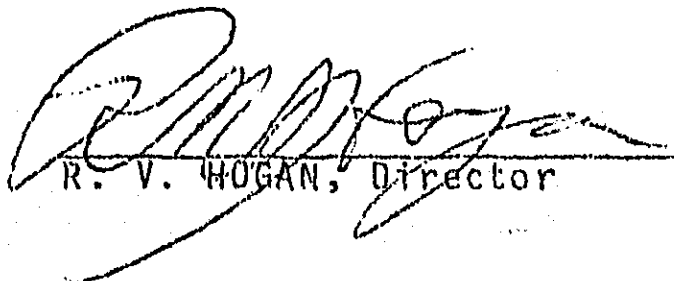
Gentlemen:

The public easements for the Promontory Point Apartment Project as prepared by The Irvine Company have been reviewed by both the City Attorney and the Director of Community Development.

With the deletion of the reservation of the right to restrict the use of the easements by the public during certain hours, as deemed reasonable by the grantor, we find that the easements are compatible with the intent of the Conditions of Approval attached to the use permit. With the deletion as noted above, the easements are satisfactory and are hereby approved as to form and content.

Very truly yours,

DEPARTMENT OF COMMUNITY DEVELOPMENT



R. V. HOGAN, Director

RVH/JDH/kk



UP1494
Department of Community Development

DATE: August 5, 1974
TO: City Attorney
Director of Public Works
FROM: Jim Hewicker
SUBJECT: Vehicular, Pedestrian and Bicycle Easements in Promontory Point.

On August 2, 1971 the City Council approved the Use Permit for Promontory Point. This approval required that there be irrevocable public vehicular access to the private streets serving the vista points and that there be public pedestrian and bicycle access provided in locations meeting the approval of the Director of Community Development and in a manner meeting the approval of the City Attorney.

Attached for your review and/or approval are the documents furnished by The Irvine Company to me on Monday, August 5, 1974. I would appreciate your reply by noon, Wednesday, August 7, 1974.

DEPARTMENT OF COMMUNITY DEVELOPMENT
R. V. HOGAN, DIRECTOR

By James D. Hewicker,
Assistant Director - Planning

JDH/sh

THE IRVINE COMPANY

500 Newport Center Drive
Newport Beach, California 92663
(714) 644-3011

July 12, 1974

Mr. Richard V. Hogan
Director of Community Development
City of Newport Beach
3300 West Newport Boulevard
Newport Beach, California 92660

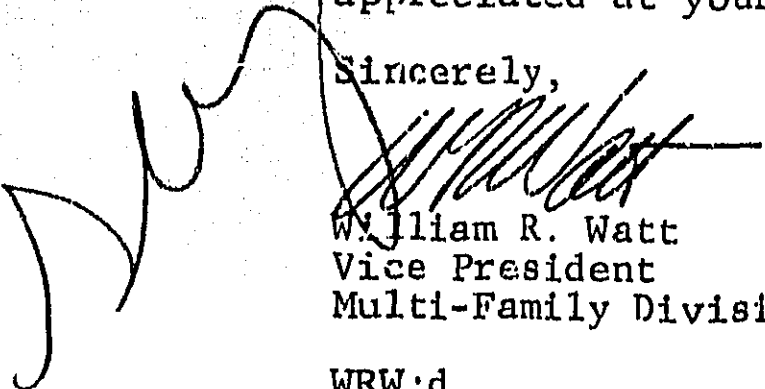
Dear Mr. Hogan:

PROMONTORY POINT EASEMENTS

Enclosed for your review and approval are the legal descriptions of the easements for Promontory Point as required under the conditions of the approval of the Conditional Use Permit. I am also enclosing a large scale map with the easements indicated for your information along with the form of grant of the public easements which have been sent to Dennis O'Neil for review and approval.

Your written approval as to the locations would be appreciated at your earliest convenience.

Sincerely,


William R. Watt
Vice President
Multi-Family Division

WRW:d

attachments

cc: Dennis O'Neil



WHEN RECORDED, MAIL TO:

THE IRVINE COMPANY
550 Newport Center Drive
Newport Beach, California 92660

Attn:

(Space above this line for Recorder's use)

PUBLIC EASEMENTS

THE IRVINE COMPANY, a West Virginia corporation, hereby grants to the City of Newport Beach, a municipal corporation, the following described easements situated in the City of Newport Beach, County of Orange, State of California:

Reference hereafter to Exhibit "A" is a reference to Exhibit "A" attached hereto and made a part hereof.

1. Vehicular Ingress-Egress: Over Parcel A as described on Exhibit "A" for vehicular ingress-egress.

RESERVING UNTO GRANTOR, its successors and assigns:

(i) The right to erect and thereafter staff, operate and/or maintain an entry gate for the purpose of controlling access from said Parcel A to adjacent properties owned by Grantor so long as members of the public are not denied access to or unreasonably delayed in gaining access to all or part of said Parcel A.

(ii) The right to construct and thereafter maintain islands within said Parcel A over which vehicular access may be restricted, which islands may be used for the purpose of landscaping and the maintenance thereon of fire and utility control panels and appropriate signs.

2. Over Parcels B, D, E, F, G, and I as described on Exhibit "A" for the purpose of pedestrian and non-motor driven bicycle ingress and egress.

RESERVING UNTO GRANTOR, its successors and assigns, and the owners, users and/or occupants of adjacent property:

(i) The right to have buildings and other structures or portions thereof encroach over said parcels so long as such encroachments do not unreasonably interfere with the use of such easement for the purpose of pedestrian and non-motor driven bicycle ingress and egress.

(ii) The right of garage doors or other access ways forming part of adjacent buildings or structures to open across such parcels; and

(iii) The right to cross such easement for the purpose of gaining access to and from adjacent property, which right of access shall include, without limitation, the right to cross over such parcels for all kinds of vehicles or things.

3. Viewpoint Easements: Over Parcels C and H for the purpose of enjoying the view, if any, which may be had from such parcels.

RESERVING UNTO GRANTOR, ITS SUCCESSORS AND ASSIGNS, WITH RESPECT TO ALL OF THE PARCELS AND EASEMENTS ABOVE DESCRIBED:

(a) The right to restrict the use of such easements by members of the public to such reasonable hours during any day as Grantor, its successors or assigns, shall in their judgment determine, but in no event shall such use be so restricted between the hours of 10:00 a.m. and 8: p.m.; and

(b) In addition to the reservations hereinabove described, the right to use said parcels for any purpose that will not unreasonably interfere with the use by Grantee of the easements granted hereby including, but not limited to, the rights to construct, relocate, repair maintain and use paved or otherwise improved areas, pipe lines or utility facilities in, on, over, across, under and along said parcels.

Dated: _____

THE IRVINE COMPANY

By _____

Vice President

By _____

Assistant Secretary

July 12, 1974

Mr. Dennis O'Neil
City Attorney
City of Newport Beach
3300 West Newport Boulevard
Newport Beach, California 92660

Dear Mr. O'Neil:

PROMONTORY POINT PUBLIC EASEMENTS

Enclosed for your review and approval is the form of grant of public easements for the Promontory Point project as required under the Conditional Use Permit. In addition, please find the legal descriptions for the easements themselves.

If you have any questions, please don't hesitate to call. I would appreciate your written approval as to form at your earliest possible convenience.

Sincerely,

William R. Watt
Vice President
Multi-Family Division

WRW:d

attachments

cc: Richard V. Hogan



RAUB, BEIN, FROST & ASSOCIATES
1401 Quail Street
Newport Beach, California

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D E S C R I P T I O N

Public Easements Within
Promontory Point Development Area

Those portions of Parcels 1 and 3, in the City of Newport Beach, County of Orange, State of California, as shown on map filed in Book 49, page 15 of Parcel Maps, in the office of the County Recorder of said County, described as follows:

PARCEL A - Vehicular Ingress-Egress Easement

BEGINNING at the westerly terminus of that certain course in the northerly boundary of said Parcel 1, shown on said map as having a bearing and distance of "North 77°40'42" West, 939.68 feet"; thence along said course, South 77°40'42" East, 33.89 feet to a point in a non-tangent curve, concave southeasterly and having a radius of 35.00 feet, a radial line of said curve from said point bears South 27°09'58" East; thence southwesterly and southerly along said curve 28.96 feet through a central angle of 47°24'29"; thence tangent to said curve, South 15°25'33" West, 69.69 feet to the beginning of a tangent curve, concave westerly and having a radius of 250.00 feet; thence southerly and southwesterly along said curve 47.63 feet through a central angle of 10°54'57"; thence tangent to said curve, South 26°20'30" West, 37.85 feet to the beginning of a tangent curve, concave easterly and having a radius of 100.00 feet; thence southwesterly and southerly along said curve 19.05 feet through a central angle of 10°54'57"; thence tangent to said curve, South 15°25'33" West, 6.46 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 30.00 feet; thence southerly, southeasterly and easterly along said curve 45.11 feet through a central angle of 86°09'03"; thence tangent to said curve, South 70°43'30" East, 60.35 feet; thence South 11°02'20" West, 51.88 feet to a point in a non-tangent curve, concave southerly and having a radius of 10.00 feet, a radial line of said curve from said point bears South 14°55'56" West; thence westerly and southwesterly along said curve 10.83 feet through a central angle of 62°02'55"; thence tangent to said curve, South 42°53'01" West, 25.88 feet to the beginning of a tangent curve, concave northerly and having a radius of 45.00 feet; thence southwesterly and westerly along said curve 52.14 feet through a central angle of 66°23'29"; thence tangent to said curve, North 70°43'30" West, 95.05 feet to the beginning of a tangent curve, concave easterly and having a radius of 45.00 feet; thence westerly, northerly and northeasterly along said curve 78.99 feet through a central angle of 100°34'05";

thence tangent to said curve, North $29^{\circ}50'35''$ East, 7.48 feet to the beginning of a tangent curve, concave westerly and having a radius of 5.00 feet; thence northeasterly, northerly and westerly along said curve 9.08 feet through a central angle of $104^{\circ}01'09''$; thence along the prolongation of a line radial to said curve, North $15^{\circ}49'26''$ East, 41.56 feet; thence South $70^{\circ}43'30''$ East, 41.64 feet to the beginning of a tangent curve, concave northwesterly and having a radius of 30.00 feet; thence easterly, northeasterly and northerly along said curve 49.14 feet through a central angle of $93^{\circ}50'57''$ to the beginning of a compound curve, concave westerly and having a radius of 100.00 feet, a radial line of said curve from said point of compound curvature bears North $74^{\circ}34'27''$ West; thence northerly along said compound curve 19.05 feet through a central angle of $10^{\circ}54'57''$ thence tangent to said curve, North $4^{\circ}30'36''$ East, 37.85 feet to the beginning of a tangent curve, concave easterly and having a radius of 250.00 feet; thence northerly along said curve 47.63 feet through a central angle of $10^{\circ}54'57''$; thence tangent to said curve, North $15^{\circ}25'33''$ East, 64.01 feet to the beginning of a tangent curve, concave westerly and having a radius of 35.00 feet; thence northerly and northwesterly along said curve 31.59 feet through a central angle of $51^{\circ}42'28''$ to the non-tangent intersection thereof with the northerly boundary of said Parcel 1, said northerly boundary being a curve, concave northeasterly and having a radius of 2050.00 feet, a radial line of said 2050.00 foot radius curve from said intersection bears North $13^{\circ}53'51''$ East; thence easterly along said 2050.00 foot radius curve 53.33 feet through a central angle of $1^{\circ}30'16''$ to the POINT OF BEGINNING.

PARCEL B - Pedestrian and Bicycle Ingress-Egress Easement

A strip of land 5.00 feet in width, the southerly and easterly line thereof being described as follows:

BEGINNING at a point in the southwesterly boundary of said Parcel 1, distant thereon North $41^{\circ}16'41''$ West, 23.00 feet from the southeasterly terminus of that certain course therein, shown on said map as having a bearing and distance of "North $41^{\circ}16'41''$ West, 96.93 feet", said point being the beginning of a non-tangent curve, concave northwesterly and having a radius of 15.00 feet, a radial line of said curve from said point bears North $4^{\circ}24'32''$ West; thence easterly, northerly and northwesterly along said curve 29.67 feet through a central angle of $113^{\circ}20'18''$; thence tangent to said curve, North $27^{\circ}44'50''$ West, 5.00 feet to the beginning of a tangent curve, concave southeasterly and having a radius of 64.00 feet; thence northwesterly, northerly and easterly along said curve 114.80 feet through a central angle of $102^{\circ}46'14''$; thence tangent to said curve, North $75^{\circ}01'24''$ East, 72.56 feet to the beginning of a tangent curve, concave northwesterly and having a radius of 20.00 feet; thence easterly and northerly along said curve 20.82 feet through a central angle of $59^{\circ}37'45''$; thence tangent to said curve, North $15^{\circ}23'39''$ East, 14.37 feet to the beginning of a tangent curve, concave southeasterly and having a radius of 88.00 feet; thence northerly and northeasterly along said curve 29.69 feet through a central angle of $19^{\circ}19'46''$ to the beginning of a compound curve, concave southeasterly and having a radius of 374.00 feet, a radial line of said curve from said point of compound curvature bears South $55^{\circ}16'35''$ East;

thence northeasterly along said compound curve 10.50 feet through a central angle of $1^{\circ}36'30''$ to a point hereinafter referred to as "Point 'A'"; thence continuing northeasterly along said curve 81.17 feet through a central angle of $12^{\circ}26'05''$ to a point hereinafter referred to as "Point 'B'"; a radial line of said curve from said point bears South $41^{\circ}14'00''$ East.

The curved northerly line of said strip of land is to be continued westerly so as to terminate westerly in said course in said southwesterly boundary of said Parcel 1.

PARCEL C - View Point Easement

BEGINNING at "Point 'B'" as hereinbefore mentioned in Parcel B above; thence continuing northeasterly along said 374.00 foot radius curve described in said Parcel B, a distance of 45.17 feet through a central angle of $6^{\circ}55'15''$; thence tangent to said curve, North $55^{\circ}41'15''$ East, 27.00 feet to the beginning of a tangent curve, concave southerly and having a radius of 104.00 feet; thence northeasterly and easterly along said curve 103.66 feet through a central angle of $57^{\circ}06'35''$ to the beginning of a reverse curve, concave northwesterly and having a radius of 2.50 feet, a radial line of said reverse curve from said point of reverse curvature bears North $22^{\circ}47'50''$ East; thence easterly and northerly along said reverse curve 3.93 feet through a central angle of $90^{\circ}00'00''$; thence tangent to said curve, North $22^{\circ}47'50''$ East, 14.97 feet; thence North $23^{\circ}58'34''$ East, 14.49 feet; thence North $55^{\circ}49'00''$ West, 64.99 feet; thence South $32^{\circ}41'00''$ West, 19.90 feet; thence South $64^{\circ}59'00''$ West, 12.42 feet; thence South $46^{\circ}54'00''$ West, 21.22 feet; thence South $58^{\circ}19'00''$ West, 47.60 feet; thence North $78^{\circ}40'00''$ West, 7.64 feet; thence South $41^{\circ}38'00''$ West, 30.11 feet; thence South $26^{\circ}49'00''$ West, 35.27 feet to a point distant North $41^{\circ}14'00''$ West, 5.00 feet from the Point of Beginning; thence South $41^{\circ}14'00''$ East, 5.00 feet to the POINT OF BEGINNING.

PARCEL D - Pedestrian and Bicycle Ingress-Egress Easement

A strip of land 6.00 feet in width, the centerline thereof being described as follows:

BEGINNING at "Point 'A'" as hereinbefore mentioned in Parcel B above; thence South $55^{\circ}16'35''$ East, 45.90 feet to the beginning of a tangent curve, concave northerly and having a radius of 7.00 feet; thence southeasterly and easterly along said curve 4.07 feet through a central angle of $33^{\circ}20'25''$; thence tangent to said curve, South $88^{\circ}37'00''$ East, 4.34 feet; thence South $1^{\circ}23'00''$ West, 74.68 feet to the beginning of a tangent curve, concave easterly and having a radius of 17.00 feet; thence southerly and southeasterly along said curve 13.35 feet through a central angle of $45^{\circ}00'00''$; thence tangent to said curve, South $43^{\circ}37'00''$ East, 206.02 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 16.00 feet;

thence southeasterly and easterly along said curve 12.57 feet through a central angle of $45^{\circ}00'00''$; thence tangent to said curve, South $88^{\circ}37'00''$ East, 84.69 feet to a point in a non-tangent curve, concave northeasterly and having a radius of 914.50 feet, a radial line of said curve from said point bears North $42^{\circ}31'20''$ East; thence southeasterly along said curve 105.76 feet through a central angle of $6^{\circ}37'34''$; thence non-tangent to said curve, South $13^{\circ}22'44''$ East, 85.36 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 16.00 feet; thence southerly and southeasterly along said curve 12.57 feet through a central angle of $45^{\circ}00'00''$; thence tangent to said curve, South $58^{\circ}22'44''$ East, 206.44 feet to the beginning of a tangent curve, concave northerly and having a radius of 16.00 feet; thence southeasterly and easterly along said curve 12.57 feet through a central angle of $45^{\circ}00'00''$; thence tangent to said curve, North $76^{\circ}37'16''$ East, 67.27 feet; thence South $13^{\circ}22'44''$ East, 25.50 feet; thence South $66^{\circ}51'00''$ East, 78.50 feet; thence South $23^{\circ}09'00''$ West, 44.00 feet; thence South $66^{\circ}51'00''$ East, 130.00 feet to a point hereinafter referred to as "Point 'C'"; thence North $23^{\circ}09'00''$ East, 49.50 feet; thence South $66^{\circ}51'00''$ East, 55.00 feet; thence North $60^{\circ}49'26''$ East, 36.95 feet; thence South $29^{\circ}10'34''$ East, 66.31 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 16.00 feet; thence southeasterly and easterly along said curve 12.57 feet through a central angle of $45^{\circ}00'00''$; thence tangent to said curve, South $74^{\circ}10'34''$ East, 206.44 feet to the beginning of a tangent curve, concave northerly and having a radius of 16.00 feet; thence easterly and northeasterly along said curve 12.57 feet through a central angle of $45^{\circ}00'00''$; thence tangent to said curve, North $60^{\circ}49'26''$ East, 40.26 feet to a point hereinafter referred to as "Point 'D'"; thence North $60^{\circ}49'26''$ East, 2.50 feet.

The sidelines of said strip of land are to be prolonged or shortened so as to terminate northwesterly in that certain curve described in Parcel B above as being concave southeasterly and having a radius of 374.00 feet.

PARCEL E - Pedestrian and Bicycle Ingress-Egress Easement

A strip of land 5.00 feet in width, the centerline thereof being described as follows:

BEGINNING at "Point 'D'" as hereinbefore mentioned in Parcel D above; thence South $29^{\circ}10'34''$ East, 62.45 feet to a point in a non-tangent curve, concave southwesterly and having a radius of 32.50 feet, said curve forming a point of reverse curvature at its southeasterly terminus with a curve, concave northeasterly, that is concentric with and distant 2.50 feet southwesterly, measured radially, from that certain curve described in Parcel A above as having a radius of 45.00 feet, an arc length of 78.99 feet and a central angle of $100^{\circ}34'05''$; thence easterly and southeasterly along said non-tangent curve 39.66 feet through a central angle of $69^{\circ}55'02''$ to said point of reverse curvature; thence southeasterly and easterly along said reverse curve 36.05 feet through a central angle of $43^{\circ}29'08''$ to a point of tangency with a line that is parallel with and distant 2.50 feet southerly, measured at right angles, from that certain course recited in said Parcel A as "North $70^{\circ}43'30''$ West, 95.05 feet", said point being hereinafter referred to as "Point 'E'";

thence along said parallel line, South 70°43'30" East, 95.05 feet to the beginning of a tangent curve, concave northerly, that is concentric with and distant 2.50 feet southerly, measured radially, from that certain curve described in said Parcel A as having a radius of 45.00 feet, an arc length of 52.14 feet and a central angle of 66°23'29"; thence easterly along said concentric curve 27.83 feet through a central angle of 33°34'20" to the beginning of a reverse curve, concave southerly and having a radius of 37.50 feet, a radial line of said reverse curve from said point of reverse curvature bears South 14°17'50" East; thence easterly and southeasterly along said reverse curve 32.66 feet through a central angle of 49°53'50"; thence tangent to said curve, South 54°24'00" East, 67.74 feet to a point in a line that is parallel with and distant 10.00 feet northwesterly, measured at right angles, from that certain course in the northwesterly boundary of Parcel 2 of said Parcel Map, having a bearing and distance of "North 35°36'00" East, 158.16 feet"; said point being hereinafter referred to as "Point 'F'"; thence South 54°24'00" East, 7.39 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 22.50 feet; thence southeasterly and easterly along said curve 9.65 feet through a central angle of 24°33'40"; thence tangent to said curve, South 78°57'40" East, 197.60 feet to the beginning of a tangent curve, concave northerly and having a radius of 380.00 feet; thence easterly along said curve 47.92 feet through a central angle of 7°13'32"; thence tangent to said curve, South 86°11'12" East, 51.48 feet to the beginning of a tangent curve, concave southerly and having a radius of 360.00 feet; thence easterly along said curve 113.12 feet through a central angle of 18°00'12"; thence tangent to said curve, South 68°11'00" East, 100.97 feet to the beginning of a tangent curve, concave northerly and having a radius of 380.00 feet, said curve being also tangent at its easterly terminus to a line that is parallel with and distant 2.50 feet northerly, measured at right angles, from that certain course in the southerly boundary of said Parcel 3, shown on said map as having a bearing and distance of "North 82°43'03" West, 210.75 feet"; thence easterly along said curve 96.39 feet through a central angle of 14°32'03" to said easterly terminus; thence tangent to said curve, South 82°43'03" East, 35.65 feet to the beginning of a tangent curve, concave northerly and having a radius of 100.00 feet; thence easterly and north-easterly along said curve 62.86 feet through a central angle of 36°00'57"; thence tangent to said curve, North 61°16'00" East, 33.79 feet to the beginning of a tangent curve, concave southerly and having a radius of 37.50 feet; thence northeasterly, easterly and southeasterly along said curve 50.18 feet through a central angle of 76°40'00"; thence tangent to said curve, South 42°04'00" East, 26.50 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 27.50 feet; thence southeasterly and easterly along said curve 20.27 feet through a central angle of 42°14'00" to the beginning of a reverse curve, concave southerly and having a radius of 60.00 feet, a radial line of said reverse curve from said point of reverse curvature bears South 5°42'00" West, said point being hereinafter referred to as "Point 'G'"; thence easterly along said reverse curve 15.74 feet through a central angle of 15°01'43" to the southerly boundary of said Parcel 3.

EXCEPT therefrom that portion thereof included within that certain strip of land, 6.00 feet in width, described in said Parcel D.

PARCEL F - Pedestrian and Bicycle Ingress-Egress Easement

A strip of land 5.00 feet in width, the centerline thereof being described as follows:

BEGINNING at "Point 'G'" hereinbefore mentioned in Parcel E above; thence easterly and northerly along the continuation of that certain curve described in said Parcel E as having a radius of 27.50 feet, an arc length of 20.27 feet and a central angle of $42^{\circ}14'00''$, a distance of 34.60 feet through a central angle of $72^{\circ}05'33''$ to the easterly boundary of said Parcel Map, being a curve, concave easterly and having a radius of 459.00 feet.

EXCEPT therefrom that portion thereof included within that certain strip of land, 5.00 feet in width, described in said Parcel E.

The sidelines of said strip of land described in Parcel F herein are to be continued or shortened so as to terminate in said curve having a radius of 459.00 feet.

PARCEL G - Pedestrian Ingress-Egress Easement

A strip of land 3.00 feet in width, the centerline thereof being described as follows:

BEGINNING at "Point 'C'" as hereinbefore mentioned in Parcel D above; thence South $66^{\circ}51'00''$ East, 19.23 feet; thence South $15^{\circ}49'26''$ West, 49.91 feet; thence North $66^{\circ}51'00''$ West, 19.00 feet; thence South $23^{\circ}09'00''$ West, 163.63 feet to the southerly boundary of said Parcel 1, being a curve, concave northerly and having a radius of 757.00 feet.

EXCEPT therefrom that portion thereof included within that certain strip of land, 6.00 feet in width, described in said Parcel D.

The sidelines of said strip of land 3.00 feet in width are to be prolonged or shortened so as to terminate southerly in said curve having a radius of 757.00 feet.

PARCEL H - View Point Easement

BEGINNING at a point distant South $19^{\circ}16'30''$ West, 2.50 feet from "Point 'E'" as hereinbefore mentioned in Parcel E above; thence South $70^{\circ}43'30''$ East, 95.05 feet to the beginning of a tangent curve, concave northerly, that is concentric with and distant 2.50 feet southerly, measured radially, from that certain curve described in said Parcel E as having a radius of 47.50 feet, an arc length of 27.83 feet and a central angle of $33^{\circ}34'20''$; thence easterly along said concentric curve 6.97 feet through a central angle of $7^{\circ}59'24''$; thence South $19^{\circ}16'30''$ West, 10.49 feet;

thence North 70°43'30" West, 108.00 feet; thence North 19°16'30" East, 10.36 feet to a point in a curve, concave northerly, that is concentric with and distant 2.50 feet southerly, measured radially, from that certain curve described in said Parcel E as having a radius of 47.50 feet, an arc length of 36.05 feet and a central angle of 43°29'08"; thence easterly along said concentric curve 6.02 feet through a central angle of 6°53'32" to the POINT OF BEGINNING.

PARCEL 1 - Pedestrian Ingress-Egress Easement

A strip of land 5.00 feet in width, the northwesterly and westerly line thereof being described as follows:

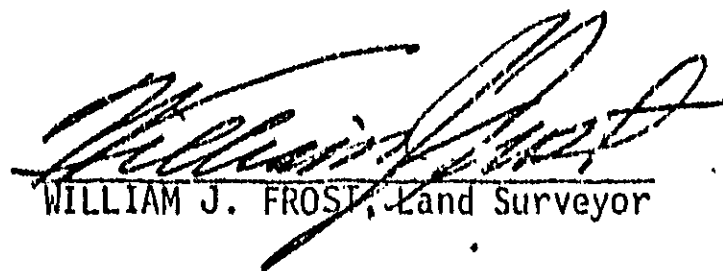
BEGINNING at "Point 'F'" as hereinbefore mentioned in Parcel E above; thence parallel with that certain course in the northwesterly boundary of Parcel 2 of said Parcel Map, having a bearing and distance of "North 35°36'00" East, 158.16 feet", South 35°36'00" West, 176.28 feet to the beginning of a tangent curve, concave easterly and having a radius of 25.00 feet; thence southwesterly and southerly along said curve 25.83 feet through a central angle of 59°12'11" to the southwesterly boundary of said Parcel 1.

EXCEPT therefrom that portion thereof included within that certain strip of land, 5.00 feet in width, described in said Parcel E.

The curved easterly line of said strip of land, 5.00 feet in width, herein described in Parcel 1, is to be prolonged so as to terminate in that certain curve in the westerly boundary of Parcel 2 of said Parcel Map, shown thereon as having a radius of 20.00 feet.

SUBJECT TO: All Covenants, Rights, Rights-of-Way and Easements of Record.

EXHIBIT "B" attached and by this reference made a part hereof.


WILLIAM J. FROST, Land Surveyor

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

ROGERS
RYKOFF
DOSTAL
MCINNIS
KUEHN
BARRETT
STORE

VP 1-94

ROLL CALL

June 10, 1974

INDEX

One Police Emergency Equipment Dispatcher in the Police Department to fill a position now vacant.

Four Police Officers in the Police Department to fill positions now vacant.

6. The following staff reports were received and ordered filed:

Memo from the City Attorney regarding State and Federal Air Pollution Control Measures.

Air Pollution

Memo from the Public Works Department regarding a sidewalk on Bayside Drive below Promontory Point.

Promontory Point

Memo from the Chief of Police to the City Manager regarding coordination of helicopter flight time with the Costa Mesa Police Department.

Police Helicopters

7. The following matter was set for public hearing on June 24, 1974:

Cost of work of Alley Improvements in Block 4, Newport Bay Tract, Contract No. 1588, accomplished under Chapter 27 of the Improvement Act of 1911. (A report from the Public Works Director was presented.)

Alley Paving Blk 4

8. The following Budget Amendments were approved:

BA-61, \$2,500 transfer of Budget Appropriations for lighting, heating and shelving for the automotive parts room addition at the Corporation Yard from Unappropriated Contingency Reserve to Purchasing and Warehousing-Enlarge Auto Parts Warehouse, General Fund. (A report from the City Manager was presented.)

BA-62, \$200 increase in Budget Appropriations and Revenue Estimates, donation from the Tuesday Morning Club, for purchase of four banquet tables to be utilized at the Community Youth Center, to Unappropriated Surplus to PB&R-Recreation, Furniture and Fixtures, PB&R Fund. (A report from the Parks, Beaches and Recreation Director was presented.)

ADDITIONAL BUSINESS:

1. Resolution No. 8280, authorizing the execution of an agreement between the City of Newport Beach and University of the Pacific, McGeorge School of Law, in connection with the Federal College Work-Study Program, was adopted.

Fed Work-Study Program / Univ R-8280

Motion
Ayes

x
x x x x x x x

June 10, 1974

CITY COUNCIL AGENDA
ITEM NO. H-7 (b)

TO: CITY COUNCIL

FROM: Public Works Department

SUBJECT: BAYSIDE DRIVE SIDEWALKS AND PEDESTRIAN SIGNAL

INTRODUCTION:

At the meeting of May 28, 1974 the Council directed the staff to prepare a written report regarding sidewalks and the pedestrian signal on Bayside Drive adjacent to the Promontory Bay and Promontory Point developments. Discussion of the matter resulted from a letter dated May 5, 1974 from the Balboa Island Improvement Association expressing distress at the lack of a sidewalk along the northerly side of Bayside Drive adjacent to Promontory Point.

BACKGROUND:

The improvement requirements for realigned Bayside Drive (excepting the pedestrian signal) were established in conjunction with the City's review of the Promontory Bay development. Use Permit 1466 and the tentative map of Tract 3867 for Promontory Bay were approved by the Planning Commission on February 19, 1970 and March 5, 1970 respectively. Among the conditions of approval it was required that realigned Bayside Drive be improved to a total right-of-way width of 86 feet. (The standard right-of-way width for a secondary highway is 84 feet.) The approved cross section provided for 4 travel lanes; a median turning lane; a parking lane on the southerly side in the area adjacent to the Promontory Bay dwellings; and parkways on each side 8 feet in width for pedestrian sidewalks, street trees, and landscaping strips. The tentative map and the use permit were approved by the City Council on June 8, 1970 with the same conditions of approval as recommended by the Planning Commission. However, because of the developing interest in bicycle trails, the Council also directed that the Planning Department and The Irvine Company work out details for a bicycle trail along Bayside Drive.

Accordingly, a revised cross section for Bayside Drive was developed in which the northerly parkway adjacent to Promontory Point was reduced in width to 3 feet and the sidewalk eliminated; and the southerly parkway was increased in width to 13 feet in order to provide a combined bikeway and pedestrian way of sufficient width. The project plans at the time of processing final map of Tract 3867 reflected the revised cross section. The final map was approved by the Planning Commission on May 4, 1972, and by the Council on June 12, 1972.

The actual design of the combined bikeway and pedestrian way was reviewed and approved by the Parks, Beaches, and Recreation Commission; and by the City Council at the study session of September 11, 1972.

With regard to the pedestrian signal, this installation (or a pedestrian overcrossing) was required by the City as a condition of approval of the

June 10, 1974

Subject: Bayside Drive Sidewalks and Pedestrian Signal

Page 2.

Promontory Point development. (Use Permit 1494, approved by the Planning Commission on June 3, 1971; and by the Council on August 2, 1971.)

DISCUSSION:

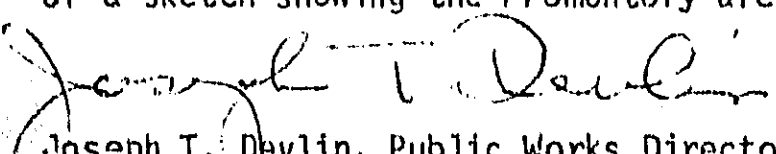
As can be seen from the above information, the design of the Bayside Drive bikeway-pedestrian circulation system evolved over a long period of time. It was recognized that elimination of a portion of the sidewalk on the northerly side would have some disadvantages, however it was felt that the best over-all design could be achieved by utilizing the width eliminated from the northerly parkway to provide sufficient width for the combined bikeway-pedestrian way on the southerly side. Review of the land uses in the area indicates that most of the pedestrian-bicycle trip desires can be served by the combined path. It should be pointed out however, that pedestrians and bicyclists wishing to travel to the shopping center from the residential areas to the south and west must cope with a certain amount of out-of-direction travel to utilize the signalized crossing of Bayside Drive at Marine Avenue-Jamboree Road. This problem could be partially alleviated by providing a sidewalk on the northerly side of Bayside Drive extending from the Promontory Point pedestrian signal easterly to the shopping center. Such a sidewalk would require elimination of existing landscaping, dedication of additional right-of-way, and construction of a low retaining wall.

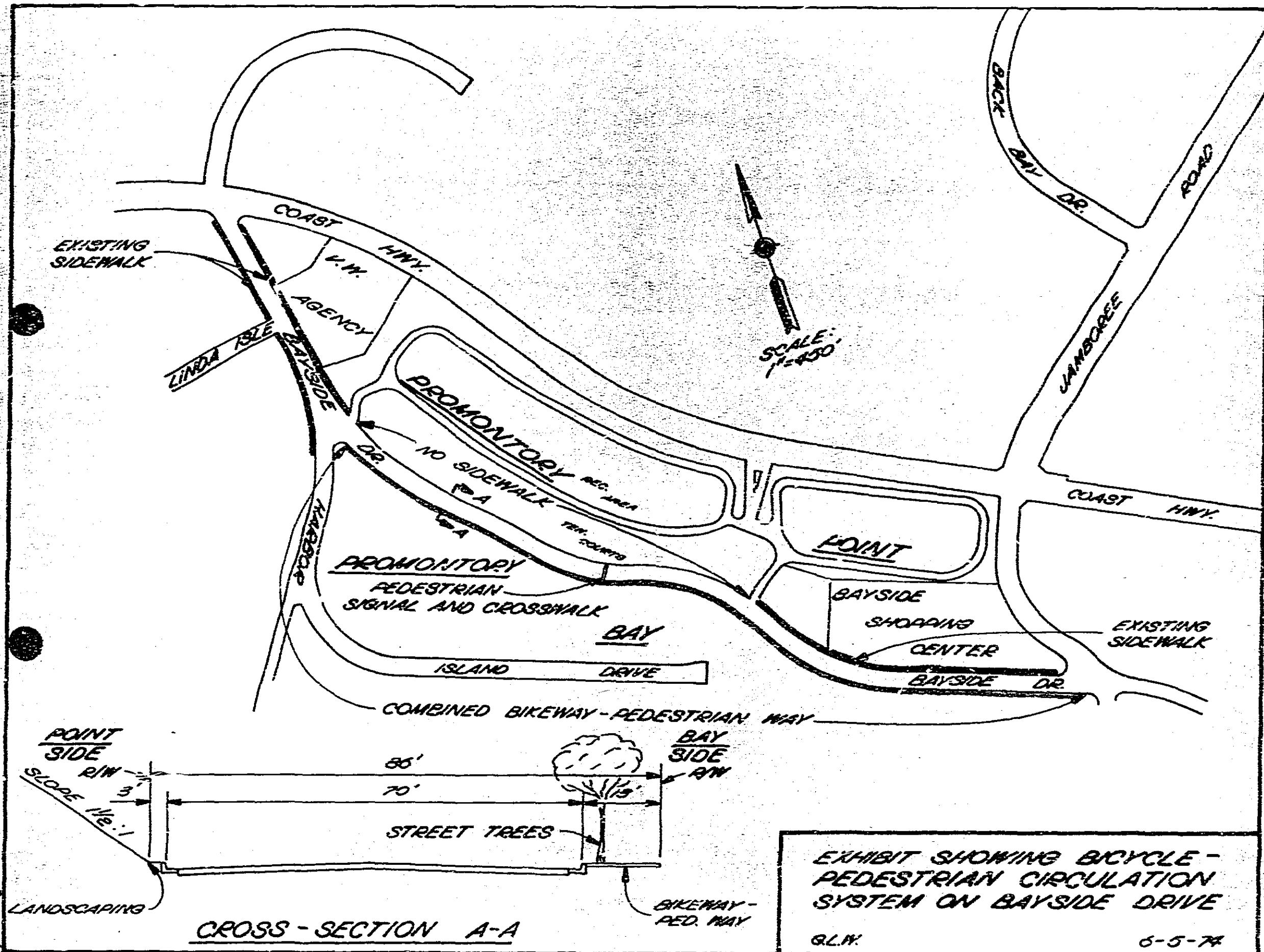
The need for a controlled pedestrian crossing of Bayside Drive arose primarily from the initial concept of the combined Promontory Point-Promontory Bay developments. The Promontory Bay plan originally included a marina and beach area where the present beach is located. The marina was intended for the use of Promontory Point residents, and a parking garage was included under the Promontory Point tennis courts for marina parking as well as for general guest parking and recreational area parking. Also included in the original Promontory Point plans was an additional tier of dwelling units facing Bayside Drive and taking access from a frontage road. As the design concepts evolved and the project density was reduced, the marina, the parking garage, and the dwelling units adjacent to Bayside Drive were all eliminated. The need for a pedestrian signal to serve the Promontory developments was reduced as the project design changed.

CONCLUSIONS:

It is felt that the pedestrian signal should remain in place and its operation be observed for a period of time before making a determination as to whether or not it should be removed. This decision also relates to the sidewalk determination discussed below.

With regard to sidewalk on the northerly side of Bayside Drive; there does not appear to be a functional need for construction of sidewalk in the reach extending from the Volkswagon agency to the pedestrian signal, and only a marginal need for constructing a walk extending from the pedestrian signal easterly to the shopping center. If the Council wishes, additional study can be given to the need for the latter reach of sidewalk. Construction of the sidewalk at this time would confirm the need for the pedestrian signal to remain in place. A copy of a sketch showing the Promontory area is attached for reference.


Joseph T. Devlin, Public Works Director
BBN:hh Attachment



CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

RYCKOFF
KNOWL
ROGERS
MCINNIS
CROUL
DOSTAL
STORE

ROLL CALL

March 11, 1974

INDEX

One Police Officer in the Police Department to fill a position now vacant.

9. The following staff and commission reports were received and ordered filed:

Report from the Public Works Department regarding analysis of traffic operations in connection with the Promontory Point Development.

Promon-
tory
Point

Report from the Parks, Beaches and Recreation Director regarding recreational programs insurance.

P-creation
Insurance

Report from the Parks, Beaches and Recreation Commission reiterating their opposition to the widening of Bayside Drive between Fernleaf and Jasmine Avenues.

Bayside
Drive
Widening

Draft No. 1 of the Upper Newport Bay Field Committee's report on An Integrated Plan to Protect Upper Newport Bay.

Upper
Newport
Bay

10. The plans and specifications for Corona del Mar Beach Parking Lot Improvements (West Side), Contract 1610, were approved; and the City Clerk was authorized to advertise for bids to be opened at 11:00 A.M. on March 26, 1974. (A report from the Public Works Director was presented.)

CdM Beach
Prkg Lot
Imprvmts

11. The plans and specifications for Balboa Island Alley Improvements 1973-74, Contract 1604, were approved; and the City Clerk was authorized to advertise for bids to be opened at 10:30 A.M. on March 26, 1974. (A report from the Public Works Director was presented.)

BI Alley
Imprvmts

12. The plans and specifications for Irvine Avenue Median Landscape Development, Contract 1599, were approved; and the City Clerk was authorized to advertise for bids to be opened at 10:00 A.M. on March 26, 1974. (A report from the Public Works Director was presented.)

Irvine Ave
Median
Landscape
Dev

13. The plans and specifications for the Automotive Parts Warehouse Addition, Contract 1572, were approved; and the City Clerk was authorized to advertise for bids to be opened at 10:30 A.M. on May 2, 1974. (A report from the Public Works Director was presented.)

Automotive
Parts
Warehouse
Addition

14. The public improvements constructed in conjunction with Tract 6947 (Park Newport), located on the north-westerly corner of Jamboree Road and San Joaquin

Tract 6947
Park
Newport

March 11, 1974

CITY COUNCIL AGENDA
ITEM NO. H-7 (a)

TO: CITY COUNCIL
FROM: Public Works Department
SUBJECT: PROMONTORY POINT DEVELOPMENT

DISCUSSION:

At the February 28, 1974 Council meeting the Council requested the following information regarding the Promontory Point development:

1. Impact of the traffic signal on Coast Highway at the entrance to the Promontory Point development.
2. Impact of traffic from Promontory Point development exiting on Bayside Drive.
3. Legality of deleting traffic signal.

1. Impact of the traffic signal on Coast Highway.

Analysis of Coast Highway traffic operations near Promontory Point indicates the real controls on the highway capacity are the high-volume intersections at Bayside Drive and at Jamboree Road. Adding a properly designed signal between these intersections to serve the lesser volume of traffic generated by Promontory Point, would not bring about a further significant decrease in overall highway capacity. On the other hand, with no signal control, most drivers would make their left turns at the intersection of Coast Highway with Bayside Drive or Jamboree Road thereby taking valuable green time away from the Pacific Coast Highway. This reduction in green time on Coast Highway would result in a reduction in highway capacity.

2. Impact of traffic from development exiting on Bayside Drive.

The traffic report from the Promontory Point development estimates that 81% of the trips generated will use the Coast Highway entrance and 19% will use the Bayside entrances. Consequently the interior street circulation was designed to favor access to Coast Highway. Deletion of the traffic signal on Coast Highway would reroute traffic to the Bayside Drive entrances, adding congestion to the internal private street system and at the entrances on Bayside Drive. Increased congestion at the Bayside Drive-Marine Avenue intersection could also be expected.

3. Legality of deleting the traffic signal.

The City Council on August 2, 1971 approved Use Permit No. 1494 for the 536 unit Promontory Point development. Then on April 6, 1972 the Planning Commission approved Resubdivision No. 337 for the subject development. The

March 11, 1974

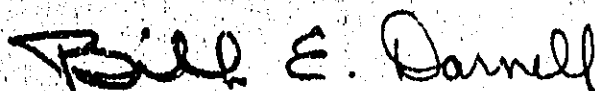
Subject: Promontory Point Development
Page 2.

Use Permit and Resubdivision required that a traffic signal be installed on Coast Highway. Since the above dates the developer has (1) submitted traffic signal plans for City and State approvals. (2) Secured the necessary encroachment permit from the State. (3) Awarded a contract to Steiny and Company for installation of the traffic signals. (4) Commenced construction of the traffic signal and (5) is currently awaiting delivery of the traffic signal control equipment.

If the City Council wishes to consider the deletion of the traffic signal on Coast Highway the following steps should be taken:

1. Request Planning Commission to hold a public hearing on an amendment to Use Permit No. 1494 and Resubdivision No. 337 to delete the requirement of the traffic signal.
2. Request the Department of Transportation to revoke the Encroachment Permit issued to the developer to construct the traffic signal.

The developer has proceeded in good faith and expended funds for the planning and construction of the traffic signal. Should the traffic signal be deleted it is possible that the developer would request the City to reimburse him for the costs incurred to date.



Bill E. Darnell
Traffic Engineer

BED:hh



Department of Community Development

DATE: March 4, 1974

TO: Cal Stewart

FROM: Jim Hewicker

SUBJECT: Proposed Restroom Facility - Promontory Bay
Use Permit No. 1494

The Irvine Co. has submitted to the City the attached set of drawings for a restroom facility on the private beach in Promontory Bay.

While the Use Permit for Promontory Point requires that the beach area in Promontory Bay be available to residents of Promontory Point it does not specifically address itself to the question of beach facilities.

Inasmuch as the Use Permit requires that the design and improvement of all recreation and view areas, both public and private, shall be subject to your review and approval, we would appreciate your comments and recommendations on this proposal. We generally feel it's a good idea.

We would appreciate an early response so we can get back to the Irvine Company as soon as possible.

James D. Hewicker,
Assistant Director - Planning

JDH/sh

CONFERENCE NOTES

FILE

SUBJECT: Promontory Point Recreation Building

UP 1494

PRESENT: City of Newport Beach:
Bob Fowler
Bob Whiteford (part of the time)
Gene Cich (part of the time)

Fisher-Friedman Associates:
Robert J. Geering

HELD AT: Newport Beach Building Department

DATE: 24 August 1973

PURPOSE: To determine allowable height of Promontory Point
recreation building tower

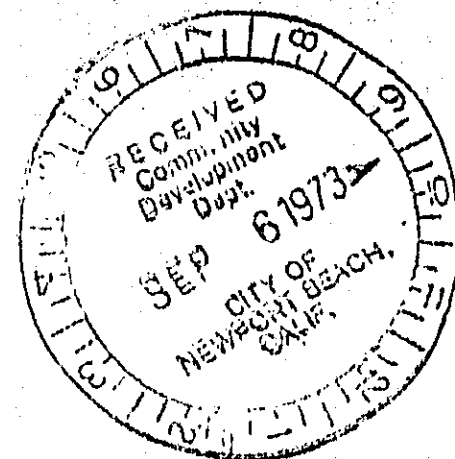
ITEMS DISCUSSED

- A. It was determined that the tower could be no higher than 10'-6" above the roof line of the Type One Building (Building No. 9) which is to the west of the recreation center. This is the height of the recreation center as presented to the Planning Commission for Use Permit.
- B. The fireplace chimney must project 2'-0" above the roof of the tower, and can go above the 10'-6".

FISHER-FRIEDMAN ASSOCIATES

Robert J. Geering
Robert J. Geering, AIA (by)

cc: ✓ Bob Fowler
Maurice McDonald



June 25, 1973

South Coast Regional Commission
P.O. Box 1450
Long Beach, California 90801

Gentlemen:

Re: Use Permit 1494

The time required for our staff to receive, plan check, and issue a building permit(s) varies from project to project depending on the complexity of the project.

In discussions with The Irvine Company representatives in the spring of 1972, and based on our staff's knowledge of Use Permit 1494, we advised the Irvine Company that it would be approximately two weeks before we could begin to plan check once the application was submitted, and that the plan check itself would take approximately one month.

By the time the application for a plan check was submitted, our work volume had increased to such an extent that it would have taken approximately four months to get to the plan check. The actual plan check took approximately five months. In fact, it was only at additional expense to the applicant that this extended schedule was met, as it necessitated the hiring by the City at the applicant's expense, a consulting engineering firm to conduct the plan check.

Very truly yours,

CITY OF NEWPORT BEACH

By

DENNIS O'NEIL
City Attorney

DON/RVH/kk

April 18, 1973

Mr. Maurice McDonald
The Irvine Company
550 Newport Center Drive
Newport Beach, California

Dear Mr. McDonald:

The Parks, Beaches & Recreation Department staff has reviewed the new landscape plan for Promontory Point. As you will recall, the Parks, Beaches & Recreation Commission rejected the original landscape proposal because of the fact that it would be detrimental to the view both from some of the vista areas as well as the main entrance to Promontory Point from the Pacific Coast Highway.

The new landscape plans, dated March 6, 1973, meet with the approval of the Parks, Beaches & Recreation Department. By a copy of this letter we will notify Mr. Richard Hogan of the Community Development Department that the Parks, Beaches and Recreation Department is satisfied with the interior landscaping, the vista landscaping and the entrance landscaping of the Promontory Point project.

Very truly yours,


CALVIN C. STEWART, Director
Parks, Beaches & Recreation Department

CCS:h

cc: Richard Hogan, Director ✓
of Community Development

CITY OF NEWPORT BEACH

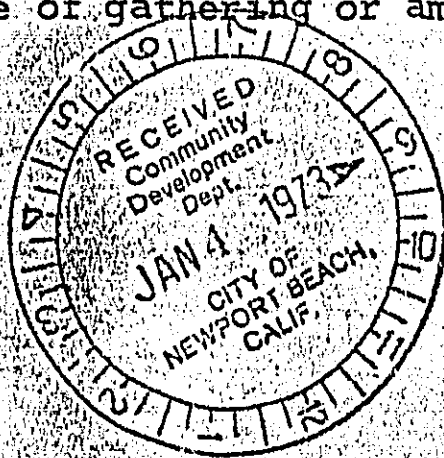
MEMORANDUM: From City Attorney

TO Building Division Supervisor

January 3, 1973

Bob,

It is the opinion of this office that the words "public accommodation or facility" contained in Section 19955 of the California Health and Safety Code do not apply to the proposed recreation building to be constructed in connection with the Promontory Point apartment project. We have reached this conclusion based largely on the fact that the proposed recreation facility will not be used primarily by the general public as a place of gathering or amusement.



Dennis

Reply wanted ☐
Reply not necessary ☐
DON dm

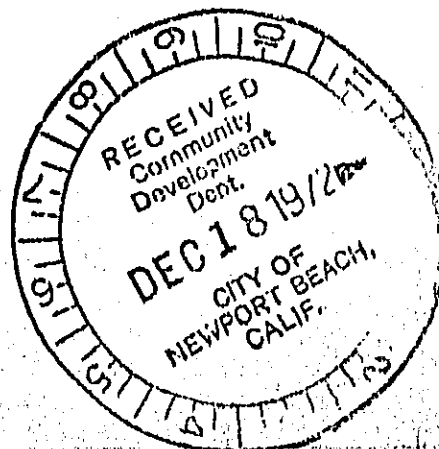
NS-20

By

R-337
UP 1494

Irvine

Builders of Tomorrow's Cities... Today



December 18, 1972

Mr. Richard Hogan
City of Newport Beach
Department of Community Development
3300 W. Newport Boulevard
Newport Beach, California 92660

Dear Dick:

PROMONTORY POINT

In response to your question relative to the project population, our Leasing Department has surveyed our existing adult only projects and anticipated the following in Promontory Point:

<u>Unit Type</u>	<u>Quantity</u>	<u>Occupancy Ratio</u>	<u>Anticipated Occupancy</u>
1 bdr, 1 bath	94	1.25	117.50
1 bdr, 1 bath, den	96	1.40	134.40
2 bdr, 2 bath	270	1.50	405.00
2 bdr, 2 bath, den	60	1.70	<u>102.00</u>
TOTAL ANTICIPATED POPULATION			759.00

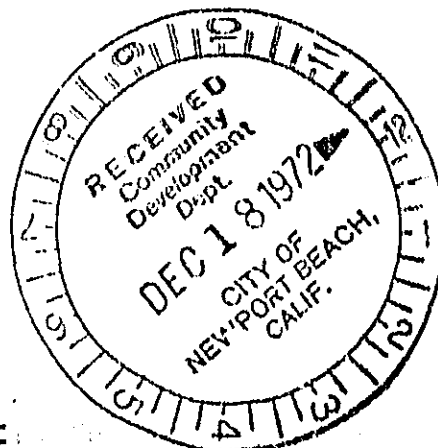
If you need further information, please give me a call.

Yours very truly,

Maurice McDonald
Project Manager
Multi-Family Development/Management

MMcD:d

December 18, 1972



Mr. Richard Hogan
City of Newport Beach
Department of Community Development
3300 W. Newport Boulevard
Newport Beach, California 92660

Dear Dick:

PROMONTORY POINT ENVIRONMENTAL IMPACT STATEMENT

The following comments are offered regarding the section entitled, "Mitigation Proposals to Minimize Negative Impacts" contained in the subject Environmental Impact Statement:

1. I have reviewed the sound problems with John Hilliard, the acoustical consultant who participated in the report. He indicated that the sounds originating from East Coast Highway are of primary concern, not those from the flight pattern. Of particular concern to him are the six, four-unit buildings on the north facing slope directly adjacent to East Coast Highway. To assure that the noise level within these units does not exceed the standards suggested by him (45 dba in the sleeping areas after 10 p.m.) we will pursue the required attenuation methods and incorporate them into the buildings. After reviewing the balance of the building types and construction methods he does not anticipate any problems at this time.
2. We have implemented an erosion control program which has been reviewed and inspected by the City's Public Works Department. Following our recent intense rainstorm we received the attached letter from the Public Works Department and I believe it indicates our desire to properly control erosion runoff from the site.
3. Relative to the view windows through the site, we have submitted landscape plans to the Parks, Beaches and Recreation Department and have received comments. We are presently working to resolve the landscape design for these areas.

UP-1494

CITY OF NEWPORT BEACH
DEPARTMENT OF COMMUNITY DEVELOPMENT
BUILDING DIVISION

TO: Bob Fowler
FROM: Rosemary
SUBJECT: Promontory Point

DATE: December 15, 1972

Parking Structures: Issued 5-11-72
Valuation \$536,250.00
First Inspection 5-12-72

Other Structures: Issued 12-15-72
Valuation \$11,620,111.05

copies to:

Rosemary
Signed

CITY OF NEWPORT BEACH
PARKS, BEACHES & RECREATION DEPARTMENT

December 6, 1972


TO: BILL LAYCOCK, COMMUNITY DEVELOPMENT DEPARTMENT
FROM: PB & R Director
SUBJECT: PROMONTORY POINT LANDSCAPING

The Parks, Beaches & Recreation Commission, at its regular meeting of December 5, voted unanimously not to approve the landscape plan for Promontory Point for the following reasons.

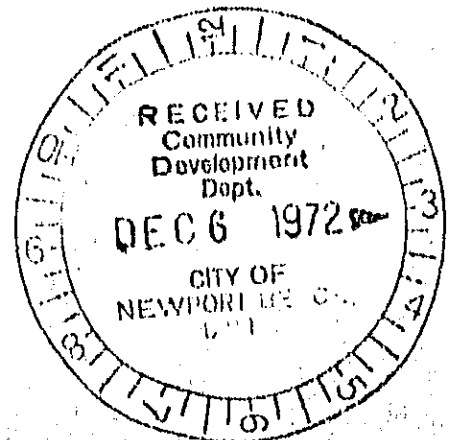
The landscape plan at the entrance to the development from the Pacific Coast Highway is not in keeping with the Environmental Impact Report. Section 5-D states that the views along the once scenic Pacific Coast Highway through Newport Beach are now an infrequent amenity and for this reason special care should be taken to protect each vista. This will require careful evaluation of the placement of walls, trees and many other elements which would in any way interrupt the remaining vistas.

Under the recommendations to City Council, Item 19, it states that the main entrance shall be maintained as a view corridor with a width of between 250 - 280 feet, but with no grade elevation above that of the highway as it passes that opening. The Environmental Impact Report assumes that the 250 feet will remain open and will provide forever a view to the water. The landscape plan does not provide for this preservation.

For this reason the PB & R Commission rejected the landscape plans for Promontory Point and requested that the developer reconsider the landscape installation at the main entrance to the development from the Pacific Coast Highway.

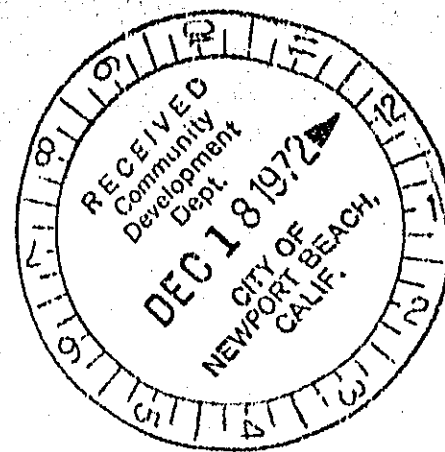

CALVIN C. STEWART

CCS:dm



INTER-OFFICE MEMORANDUM

To: Pertinent Information File
 From: Maurice McDonald
 Date: December 15, 1972
 Subject: PROMONTORY POINT



The following is a chronology of major events in the subject project and a summary of contracts and expenses to date:

ACTIVITY	DATE	CONTRACT AMOUNT	EXPENSES TO DATE
App. Use Permit	8/2/71	--	--
Start Grading	2/28/72	231,899.09	205,604.25
Start Parking Structures	5/11/72	376,465.69	245,205.03
Submit for Plan Check	7/17/72	--	--
Start Erosion Program	9/7/72	42,355.00	34,138.50
Start Utilities	10/9/72	349,595.03	260,374.00
Complete Corrections Received	10/17/72	--	--
Start Street Improvement	12/11/72	194,972.73	--
SUBTOTAL CONTRACTS & EXPENSES		\$1,195,287.54	\$ 745,321.78
Job Overhead		148,450.00	70,870.15
Prof. Services		460,172.65	376,308.61
Fees & Permits		255,745.14	255,745.14
TOTAL CONTRACTS & EXPENSES		\$2,059,655.33	\$1,448,245.68

MMcD:dlb

Richard Hogan
City of Newport Beach

-2-

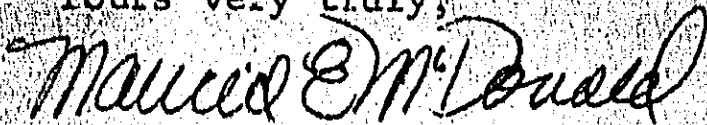
12-18-72

4. The sidewalk along East Coast Highway was a requirement of the City and it is designed in accordance with the State ordinances. However, it is our understanding that the highway is presently under study and may be subject to redesign in the near future. Therefore, we would like to provide an interim curb and sidewalk/bicycle trail all constructed of asphaltic paving. In addition we will guarantee completion of the required improvements, as currently designed, if this is the ultimate desire of the City. The final improvements would be constructed at such time as the final solution to the highway is resolved, thereby allowing the solution to accommodate an improved sidewalk/bicycle trail and parkway landscaping design.
5. We will work with the City and the Water Quality Control Board to monitor the quality of the runoff water from the site.

If you have any further questions or need additional information, please do not hesitate to call.

THE IRVINE COMPANY

Yours very truly,



Maurice E. McDonald
Project Manager
Multi-Family Development/Management

MMcD:d

attachment

SOIL INFO

West Rec. Cr. - The Gr.

East Rec. Cr. - The Quad

Q_t

A. - Reddish brown to tan silty sand & sand w/ pebbles, gravel & small cobbles.

B. Terrace Deposit (Q_t) called "Type I" by soil report (Evans, Goffman & McCormick, Dec. 10, 1971)

C. @ 95% compaction shrinkage = 6%

D. K_A = 0.28 in level backfill

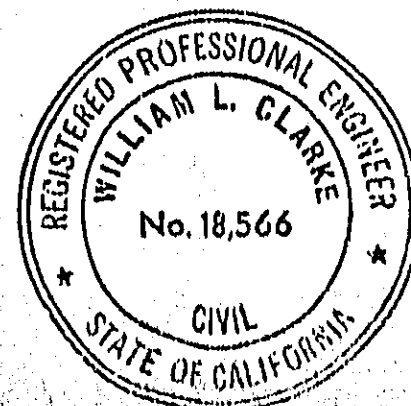
K_A = 0.48 w/ 1 1/2:1 sloping backfill

E. From test data $\gamma \sim 115 \text{ lb/ft}^3$

F. Bearing in Terrace Deposit (see Plate 5)
= 5000 lb/ft²

SOILS REPORT

42 301 50 SHEETS 5 SQUARE
42 302 50 SHEETS 5 SQUARE
42 303 50 SHEETS 5 SQUARE



$$K_A = 0.28 \text{ FOR SOIL TYPE } G_1 \checkmark$$

$$\text{NO SURCHARGE}$$

SOIL REACT

$$K_A = 0.48 \text{ FOR SOIL TYPE } G_1 \checkmark$$

$$\text{WITH SURCHARGE}$$

1 1/2%

$$f_{\text{SOIL}} = 115 \text{ lb/ft}^2 \rightarrow \text{B.C. 27 SEPT 72 COMP SHEET (G}_1 \text{)} \checkmark$$

$$\text{ALLOWABLE BEARING} = 5000 \text{ lb/ft}^2 \checkmark$$

$$\mu = 0.50 \text{ COEFFICIENT OF FRICTION}$$

$$f_{\text{CONCRETE}} = 150 \text{ lb/ft}^2 \checkmark$$

$$f_s = \text{allowable stress} = 20,000 \text{ lb/in}^2 \checkmark$$

DESIGN 8.0' HIGH WALL WITH FOUNDATION 1.0' BELOW FINISHED GRADE:

$$\therefore \text{WALL HEIGHT} = 8.0' + 1.0' = 9.0' \checkmark$$

$$\text{HORIZONTAL LOAD} = \frac{1}{2} f_{\text{SOIL}} K_A H^2 \checkmark$$

$$(0.5 \times 115 \text{ lb/ft}^2 \times 0.28 \times 9.0 \text{ ft})^2 (1.0') = 1304.10 \text{ lb} \checkmark$$

$$\text{POINT OF A.P.P.} = 9.0' / 3 = 3.0' \checkmark$$

$$M = (1304.10 \text{ lb} \times 3.0') = 3,912 \text{ ft-lb} = 46,947 \text{ in-lb} \checkmark$$

Assume wall is a cantilever beam SINGLY REINFORCED, USE W.S.D.
TRY 8" BLOCK FIRST.

$$1. \text{ Closest spacing for rebar} \rightarrow 8" \text{ o.c.} \checkmark$$

$$2. \text{ Width} = 0.6354' = 7.625" \checkmark$$

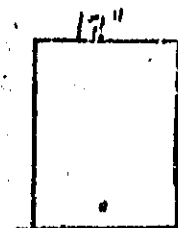
$$3. \text{ Cover} = 1.25" \checkmark$$

$$4. \text{ Use 12" section of wall} \checkmark$$

P. 98 FERGUSON

$$E_s = 30 \times 10^6 \text{ psi} \checkmark$$

$$E_c = 1.5 \times 10^6 \text{ psi} \rightarrow 197$$



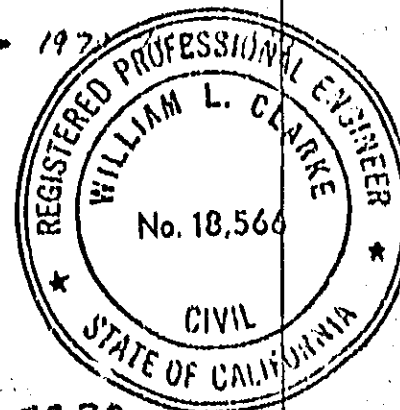
$$d = 5.875"$$

$$\text{TRY NO. 8 BAR @ 8"} \checkmark$$

$$\therefore d = 7.625" - 1.25" - 0.5" = 5.875" \checkmark$$

$$n = 30 / 1.5 = 20.0 \checkmark$$

$$n A_s = (20)(1.185) = 23.70$$



CALCULATE LOADS ON WALLS, NEGLECT EARTHQUAKE FORCES

$$P_{ac} = \frac{1}{2} \gamma_{soil} K_A H^2 \checkmark$$

$$\gamma_{soil} = 115 \# / ft^3 \checkmark$$

$$K_A = 0.28 \checkmark$$

$$H = 3.0' \rightarrow 9.0' \quad 8" \text{ INCREMENTS } \checkmark$$

$$\frac{115}{2} (0.28) H^2 = 16.1 H^2$$

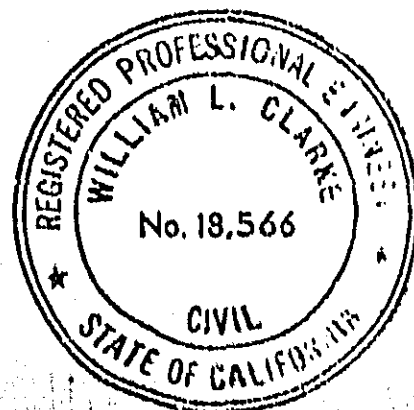
$$\text{equiv. fluid pressure} = 32.2 \text{ lb/ft}^2$$

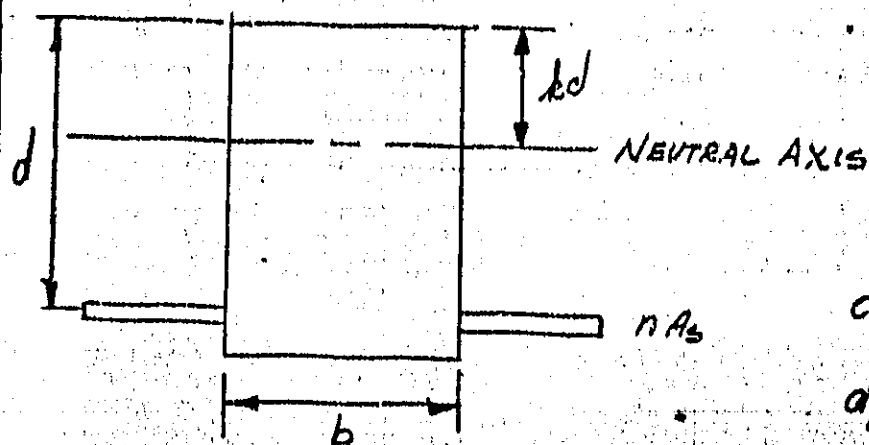
P_{ac} applied @ $H/3$ from base. TREAT AS point load and max moment $M_{max} = H/3 P_{ac} \checkmark$

H ft	$P_{ac} \#$	H/3 ft.	$M_{max} \text{ ft-lb}$	REBAR**
3'	144.90 ✓	1	144.90	
3'8"	216.85 ✓	1.22 ✓	264.55	
4'4"	301.86 ✓	1.44 ✓	435.68	
5'0"	402.50 ✓	1.67 ✓	670.83	
5'8"	517.60 ✓	1.89 ✓	978.26	# 4 @ 16 8" Block
6'4"	645.11 ✓	2.11 ✓	1361.18	# 4 @ 8" 8" Block
7'0"	788.90 ✓	2.33 ✓	1840.77	
7'8"	947.145 ✓	2.56 ✓	2421.53	# 6 @ 16 12" Block
8'4"	1117.16 ✓	2.78 ✓	3101.98	
9'0"	1304.10 ✓	3.0' ✓	3912.30	# 6 @ 8 12" Block

$$\begin{aligned} * M_{max} &= H/3 P_{ac} = H/3 (\gamma_{soil} K_A H^2 \frac{1}{2}) \checkmark \\ &= \gamma_{soil} K_A \frac{H^3}{6} \checkmark \end{aligned}$$

** SEE COMP. ON SHEETS 4-7





$$\frac{11.625'' \text{ Block width} - 1.50''}{10.125''}$$

$$\frac{7.625'' \text{ Block width} - 1.25'' \text{ WALL THICK}}{6.375''}$$

$$d_8'' = 6.375'' - \frac{1}{2} \phi_{\text{bar}}$$

$$d_{12}'' = 10.125'' - \frac{1}{2} \phi_{\text{bar}}$$

BAR SIZE

 d_8'' d_{12}''

$$n = E_s / E_c = 20$$

4

6.125"

9.875"

6

6.00"

9.750"

8

5.875"

9.625"

min steel = # 4 @ 16

$$= 0.15 \text{ IN}^2 / \text{ft}$$

$$n A_s = (15 \times 20) = 3$$

Find max Moment for 8" Block with # 4 @ 16

$$b (kd)^2 / 2 - n A_s (d - kd) = 0$$

moments about n.a.

$$(kd)^2 + \frac{2}{b} n A_s kd - \frac{2}{b} n A_s d = 0$$

$$37.52 k^2 + 3.0625 k - 3.0625 = 0$$

$$k^2 + 0.081633 k - 0.081633 = 0$$

$$k = \frac{-0.081633 \pm \sqrt{(0.082)^2 + (4 \times 0.082)}}{2}$$

$$= \frac{-b \pm \sqrt{b^2 + 4ac}}{2a}$$

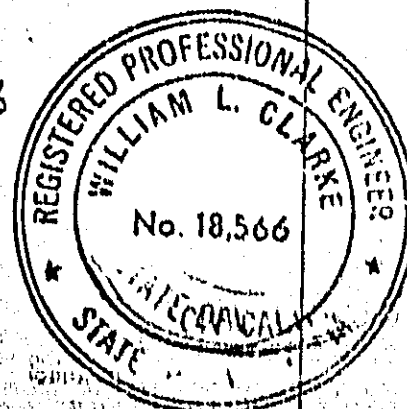
$$k = 0.2477$$

$$j = 1 - k/3 = 0.9174$$

$$M = \frac{1}{2} f_c b d^2 k j$$

$$= (15 \times 250 \times 12 \times 6.125)^2 (0.25 \times 0.92) = 12,792 \text{ IN} \cdot \text{lb}$$

$$= 1066.06 \text{ ft} \cdot \text{lb}$$



1066 ft-lb indicates an 8" BLOCK WALL WITH NO. 4 @ 16" would be sufficient for a 5'8" wall. BRIDGE TABLE GIVES NO. 4 @ 16" for a 6'0" wall.

SEEMS TO BE MATHEMATICS.

USE NO. 4 @ 16" to wall height of 5'8" ✓

CHK. NO. 4 @ 8" 8" BLOCK

$$A_s = (1.5)(.20) = .30 \text{ in}^2 \quad \checkmark$$

$$n A_s = (20)(.30) = 6.0 \quad \checkmark$$

$$37.52'k + (6.0)(2)(\frac{1}{2})(6.125)'k - (6.0)(2)(\frac{1}{2})(6.125) = 0$$

$$37.52'k + 6.125'k - 6.125 = 0$$

$$k + 0.163265'k - 0.163265 = 0$$

$$k = \frac{-0.1633 \pm \sqrt{.1633^2 + (4)(.1633)}}{2}$$

$$k = 0.331 \quad \checkmark$$

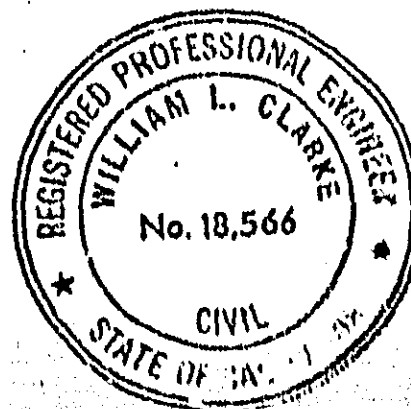
$$j = 0.8898 \quad \checkmark$$

$$M = (.5)(250)(12)(6.125)^2 (.331)(.8898)$$

$$= 16,573.87 \text{ in-lb.}$$

$$= 1381.15 \text{ ft-lb.} \quad \checkmark$$

THIS WOULD ONLY GAIN 16" of wall to wall height of 6'4" -



12" BLOCK, TRY #6 @ 16" O.C.

$$d = 9.750"$$

$$A_s = .33 \text{ IN}^2 \quad n A_s = 6.60$$

$$95.06 k^2 + \left(\frac{2}{12} \times 9.750 \times 6.60\right) k - \left(\frac{2}{12}\right) (9.750 \times 6.60) = 0$$

$$k^2 + 0.1128 k - 0.1128 k = 0$$

$$k = \frac{-0.1128 \pm \sqrt{.1128^2 - (4 \times 1 \times -.1128)}}{2}$$

$$k = .284$$

$$J = .9053$$

$$M = (0.5 \times 250^4 / \text{IN}^2 \times 12 \text{ IN} \times 9.750 \text{ IN})^2 (.284 \times .9053)$$

$$= 36,461.59 \text{ IN-LB}$$

$$= 3055.13 \text{ ft-LB OK to 7'8"}$$

NO 6 @ 18" O.C.

$$d = 9.750 \quad A_s = .46 \quad n A_s = 13.20$$

$$95.06 k^2 + \left(\frac{2}{12} \times 9.750 \times 13.20\right) k - \left(\frac{2}{12}\right) (9.750 \times 13.20) = 0$$

$$k^2 + .226 k - .226 = 0$$

$$k = \frac{-.226 \pm \sqrt{.226^2 - (4 \times 1 \times -.226)}}{2}$$

$$k = .376$$

$$J = .875$$

$$M = (0.5 \times 250 \times 12 \times 9.750)^2 (.376 \times .875)$$

$$M = 46,913 \text{ IN-LB}$$

$$= 3909 \text{ ft-LB OK to 9'0" wall.}$$

FOOTINGS

MIN. FOOTING, 3.0' = H

H = 3.0'

① W_{wall}

235.94

Moment

376.78

② W_{foot}

394.5

347.44

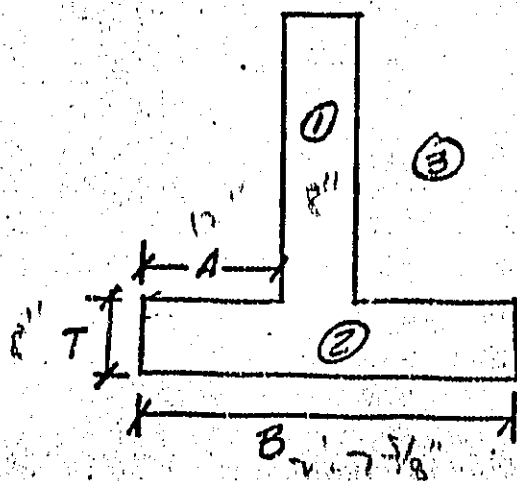
③ W_{back}

345

736.71

894.61

1460.93 ft-lb.



F.S. OVERTURN

$$\frac{1460.93 \text{ ft-lb}}{(144.90 \times 1.67)} = 6.03$$

$$\frac{1460.93 \text{ ft-lb} - (144.90 \times 1.67) \text{ ft-lb}}{894.61} = 1.36'$$

Sliding:

$$(894.61 \times 1.5) = 447.31 \text{ #}$$

$$\frac{447.31 \text{ #}}{144.90} = 3.09 \text{ O.K.}$$

H = 4' 4"

MIN FOOTING

B = 2.6354'

T = 8.0"

A = 12"

RESULTANT IN MIDDLE
1/3, Sliding O.K.

W_{wall}

445.10 #

1.32

586.50 ft-lb

W_{spand}

263.67 #

1.32

347.14

W_{knock}

586.71 #

2.135

1146.09

1245.47 #

2080.04 ft-lb

F.S. Over

$$\frac{2080.04}{301.56} = 6.89$$

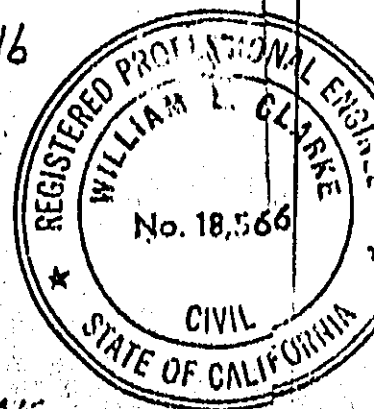
Result

$$\frac{2080.04 - 445.10}{1245.47} = 1.33' \text{ middle } 1/3 \text{ O.K.}$$

F.S. Slid.

$$(1245 \times 0.5)$$

$$\frac{501.85}{1245} = 2.06 \text{ O.K.}$$



H = 5' 8" TRY B = 3.0' T = 8" A = 12"

W _{wall}	540.12 #	1.32	712.96
W _{foot}	285.93	1.50	428.90
W _{back}	889.27	2.32	2061.06
	<u>1715.32</u>		<u>3202.91 ft-lb</u>

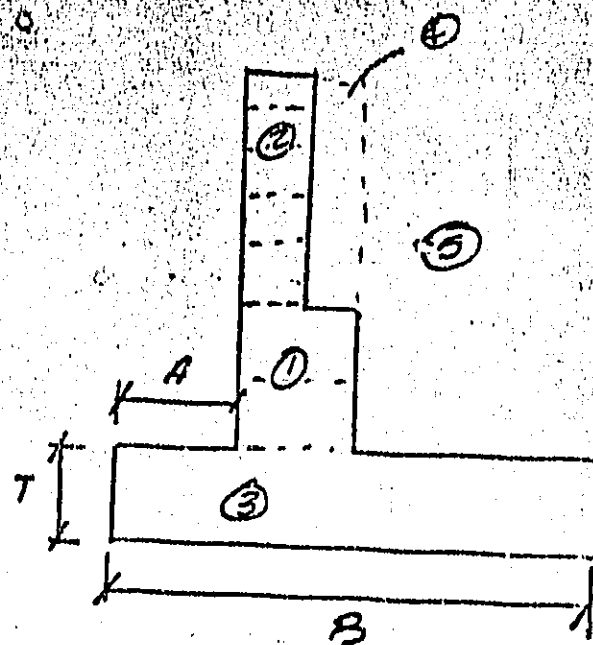
F.S. Over. $3202.91 / 978.26 = 3.27$

Result $3202.91 - 978.26 / 1715.32 = 1.30'$ middle is ok.

F.S. sliding $(1715.32 \times 0.5) / 517.65 = 1.66$ O.K. min = 1.5 from DM7 without P_a.

H = 7' 0" WALL
TRY B = 4.0' T = 1.0' A = 125'

	W _s	M. ARM	M
① W _{wall} 12"	201 #	1.73	335.95 ft-lb
② W _{wall} 6"	563 #	1.57'	846.75 ft-lb.
③ W _{foot}	600 #	20'	1200 ft-lb.
④ W _{back}	214.80	205'	440.3 ft-lb.
⑤ W _{back}	1403 #	3.10	4364.8 ft-lb.
	<u>2991.80</u>		<u>7187.8</u>



$(2991.8 \times 0.5) / 768.90 = 1.89$ F.S. against sliding

F.S. Overturning

$7183 / (768.90 \times 3.33) = 2.74$

Result

$7144 - 2627 / 2991.80 = 1.51$ middle is ok.



42 181 30 SHEETS 3 SQUARE
42 182 100 SHEETS 3 SQUARE
42 389 200 SHEETS 3 SQUARE
NATIONAL

H = 8'4" CONT.

TRY B = 5.0' T = 1.0' A = 1.00'

W _{8" wall}	540.12*	1.32	712.95
----------------------	---------	------	--------

W _{12" wall}	339.06	1.48	501.81
-----------------------	--------	------	--------

W _{foot}	750*	2.50	1875
-------------------	------	------	------

W _{back}	258.64*	1.802	466.07
-------------------	---------	-------	--------

W _{back}	2295.10	3.802	8725
-------------------	---------	-------	------

4184.38*

12,281.59

$$(4184.38 \times 0.5) / 1117.16 = 1.87 \text{ F.S. sliding}$$

$$12,281.59 / 3101.98 = 3.96 \text{ F.S. overturning}$$

Result

$$12,281.59 - 1117.16 / 4184.38 = 2.66 \text{ middle } \frac{1}{3} \text{ ok.}$$

H = 9.0'

B = 5.0' T = 1.0' A = 1.00'

5 COURSES 12" BRICK 3.33'

8" BRICK 5.67'

W _{8" wall}	540.12*	1.32	712.96
----------------------	---------	------	--------

W _{12" wall}	483.89*	1.48	716.11
-----------------------	---------	------	--------

W _{foot}	750*	2.50	1875
-------------------	------	------	------

W _{back}	215	1.802	387
-------------------	-----	-------	-----

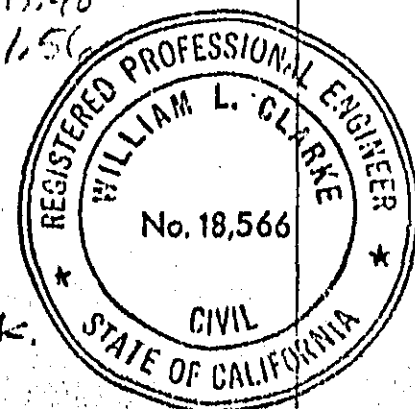
W _{back}	3105	3.5	10,867.5
	5094.01		14,558 16-16

$$(5094 \times 0.5) / 1304 = 1.95 \text{ F.S. sliding. o.k. if } \mu = 0.40$$

$$14,558 / (1304 \times 4) = 2.79 \text{ F.S. over.}$$

Result

$$14558 - 5216 / 5094 = 1.83 \text{ middle third. ok.}$$

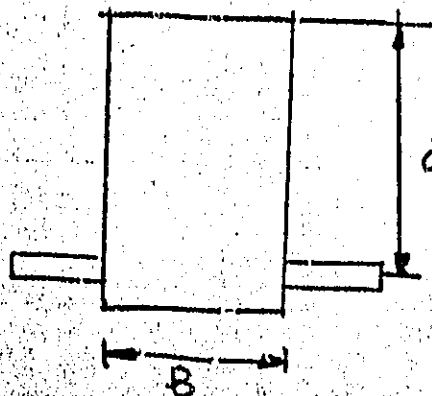


Feeding allowable stress beam $2000 \text{ PSI conc.} = 1350 \text{ PSI ACI 318-63}$

$n = 9$

CHK 8" SLAB WITH 4 @ 12

SPECIAL INSPECTION



$$\begin{aligned} & 8.00'' \\ & - 3.00'' \text{ min cover} \\ & \hline & 5.00'' \\ & \hline & .25'' \text{ } \frac{1}{2} \phi \text{ bar} \\ & \hline & 4.75'' \end{aligned}$$

$$B = 12'' \quad d = 4.75'' \quad f_c = 1350 \text{ PSI} \quad f'_c = 3000 \text{ PSI}$$

$$(6 \times 4.75) k^2 + (9 \times 0.20) k(4.75) - (9 \times 0.20 \times 4.75) = 0$$

$$135.375 k^2 + 8.55 k - 8.55 = 0$$

$$k^2 + 0.063158 k - 0.063158 = 0$$

$$k = \frac{-0.063158 \pm \sqrt{.063^2 + (4)(6.63)}}{2}$$

$$k = 0.2217$$

$$j = .926097$$

$$M = (0.5 \times 1350 \times 12'' \times 4.75) (0.2217) (0.926097)$$

$$= 37,524 \text{ IN-LB}$$

$$= 3,127 \text{ FT-LB}$$



Mayor Hirth

Community Development Director

Promontory Point Apartments (Use Permit No. 1494)

Use Permit No. 1494 originally was filed on October 19, 1970 and contained a total of 620 units (21 DU/Ac). This request was considered by the Planning Commission at public hearings held on November 5, 1970, December 3, 1970, and January 5, 1971.

At the Planning Commission meeting on January 5, 1971, the use permit was denied by a four to two vote. Concerns of the Planning Commission at that time were related to the geographic location of the proposed project in relation to nearby single-family residential development and the effect that the project would have on Balboa Island's parking problem, particularly in the summertime, and the relationship between this project and traffic access to and from Balboa Island.

The action of the Planning Commission subsequently was appealed by The Irvine Company to the City Council. At the meeting of February 3, 1971, the City Council referred the matter back to the Planning Commission without prejudice for a study of a total plan for all of the area between the Coast Highway and the bay.

On February 22, 1971, a committee was appointed, consisting of Councilman Kymla and yourself, to serve on the Promontory Point Planning Committee with two members of the Planning Commission and a representative of the Balboa Island Improvement Association.

On March 8, 1971, the action taken on February 22, 1971, was rescinded, and the use permit was returned to the Planning Commission to allow the applicant to submit modifications to the original plan for reconsideration.

On April 30, 1971, The Irvine Company submitted a revised site plan encompassing the following changes:

1. A shift in the location of dwelling units east of the Coast Highway entrance to provide a vista corridor 282' in width through the center of the project.

TO:

Mayor Hirth - 2.

2. A park of approximately one and one-half acres in size on the north side of Bayside Drive, west of the Bayside Shopping Center.
3. The replacement of all dwelling units and three driveways on Bayside Drive with a landscaped bluff.
4. A reduction of the total number of units to 536, resulting in an overall density of 18 dwelling units per acre.

The revised application was heard by the Planning Commission at a public hearing on June 3, 1971, and approved by a four to three vote. It was the feeling of the Commissioners voting against the application that the project failed to express the wishes of the citizens of Newport Beach with respect to its densities and that an apartment project in this location was not in keeping with adjoining or nearby single-family residences. The majority of the Commissioners voting in favor of the request felt that this was a well-planned and a well-designed project which took advantage of the site's natural view amenities and made them available not only to the residents of the project but the general public as well. The action of the Planning Commission was sustained by the City Council on August 2, 1971.

In summary, this project was considered by the Planning Commission on four separate occasions and by the City Council on four occasions. I hope that this information will serve your purposes. If you need additional data, we will be happy to provide it.

SIGNATURE

R. V. Hogan

March 22, 1972

DATE

RVH/JDH/kk

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

August 2, 1971

INDEX

ROLL CALL

MCINNIS
KYMILA
ROGERS
HIRTH
CROUL
DOSTAL
PARSONSMotion
Ayes

x x x x x x x

Newport Beach relating to the conduct re Special Municipal Election to be held in said City on October 5, 1971, was adopted by unanimous consent of the Council.

2. Report from Deputy City Clerk regarding filing of arguments in connection with the Special Municipal Bond Election was filed by unanimous consent of the Council.

Motion
Ayes

x x x x x x x

Mayor Hirth's appointment of Councilmen McInnis and Dostal as a committee to prepare the arguments for the Council in connection with the Special Civic Center Bond Election to be held October 5, 1971 was approved.

CURRENT BUSINESS:

1. A report from the Acting Community Development Director regarding the recommendations of the Planning Commission in connection with its approval of Use Permit No. 1494 (revised), a request to permit construction of a 536-unit apartment house complex on portion of Block 94, Irvine's Subdivision, located on the southwest corner of Pacific Coast Highway and Jamboree Road, north of the proposed realignment of Bayside Drive (Promontory Point), was presented with a report from the Acting City Attorney.

Promon-
tory
Point

Letters and telegrams opposing Promontory Point were presented from the following: Mr. and Mrs. Richard Glover, Carroll Beek, Colonel Franklin, Alan C. Blum, Josepn L. and Janet W. Mariscal, Woman's Civic League, Mrs. Joan De Lozier, William L. Thompson, Mrs. Clinton Bennett, Ethel W. Doss, Ione A. and Harold L. Angle, Gavin Witherspoon, Anid H. Johnson, Richard C. Amory, C. P. Ripley, W. S. McGavin, Marie K. Long, Stan and Grace Peterson, Dr. and Mrs. H. Richard Cox, Laura Belle McGill, Mona L. Swain, Joyce M. Briles and Miriam Evans, Jim C. Canfield, Jeffrey A. Scott, Peter L. W. Finch, Clifford E. Ogden, Margret Tustin, Roy E. Riley, Zoe Smith, Virginia Traphagen, Mr. and Mrs. John Graves, Raymond J. Dunning, Mrs. Harry E. Williams, John Swain, Mr. and Mrs. Joseph Cannell and Mr. North Baker, Constance Dewey, W. G. Barkemeyer, Mr. and Mrs. W. J. Etienne, Mrs. Maurice C. Sparling, Mr. and Mrs. C. S. Chapman, R. C. Holderness, Paul Brooks, Mr. and Mrs. Jack B. Kemp, C. A. Mounce, and Alice J. Steigerwald.

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

McINNIS
KYMILA
ROBERTS
HIRTH
CROUL
DOSTAL
PARSONS

ROLL CALL

August 2, 1971

INDEX

Staff report was presented by Acting Community Development Director, Jim Hewicker.

The following people spoke from the audience in opposition to Promontory Point: Mrs. Arthur Kramer, Joe Mariscal, Gloria Gartz, Alan Beek, Mrs. Fred S. Markham, Gordon Wiggans, Janet Mariscal, Harvey Pease; Tom Houston, President, Balboa Island Improvement Association; Tom Hyans, President, Central Newport Beach Community Association.

The following people spoke in favor of Promontory Point: Richard Leitch, Dee Cook, John Elliott; Bill Flood, representing Bayside Merchants.

Jim Taylor, Director of General Planning Administration for The Irvine Company reported on The Irvine Company concept.

RECESS for ten minutes was called by Mayor Hirth.

The Council reconvened with all members present.

John Watson spoke from the audience in ~~opposition~~ to Promontory Point.

Discussion was closed.

Motion
Ayes

x x x x x x x

Motion
Ayes
Noes

x x x x x x
x

The decision of the Planning Commission was sustained and Use Permit No. 1494 (revised) (Promontory Point) was approved.

Motion
Ayes

x x x x x x x

The meeting was adjourned at 11:00 P.M.

TO: Mayor Ed Hirth
FROM: Jim Hewicker, Assistant Community Development Director
SUBJECT: Population and Housing Trends - Balboa Island

In response to your request, our Department has gathered information concerning past population and housing growth on Balboa Island.

<u>DATE</u>	<u>TOTAL POPULATION</u>	<u>NUMERICAL INCREASE</u>	<u>DWELLING UNITS</u>	<u>NUMERICAL INCREASE</u>
April 1, 1960	2,196	- -	1,828	- -
April 1, 1966	2,816	620	1,959	131
April 1, 1969	3,375	559	1,984	25
April 1, 1970	3,422	47	2,007	23
April 1, 1971	3,463	41	2,022	15

As represented by the figures, the numerical increases in population have been due not only to the rising number of additional housing units, but to a greater degree, in increasing number of units each year which are now being occupied by year-round residents. From April, 1966 through April, 1970 for example, there was a drastic decline in the number of vacant units from nearly 40 percent vacant in 1966 to less than 20 percent vacant in 1970. This has the same effect as adding new or additional units and subsequently a growing number of persons upon the Island.

SIGNATURE

James D. Hewicker

August 2, 1971

DATE

James D. Hewicker,
Assistant Community Development Director

JDH/sm

CITY OF NEWPORT BEACH

Office of
CITY ATTORNEY

C 1

To: The Honorable Mayor and
Members of the City Council

From: Acting City Attorney

Subject: Promontory Point
Use Permit Application No. 1494

August 2, 1971

A question has been raised as to the legality of the Planning Commission action on June 3, 1971, in approving Use Permit Application No. 1494. In an attempt to answer the question, I believe it would be helpful to chronologically list the respective actions taken by the Planning Commission and the City Council with regard to this matter.

June 5, 1970 - Planning Commission Meeting

Planning Commission denied Use Permit Application No. 1494. Applicant subsequently appealed.

February 8, 1971 - City Council Meeting

City Council considered appeal and took the following action: The matter was referred back to the Planning Commission, without prejudice, for study of a total plan for all that area between the Coast Highway and the Bay, using as guidelines the major points in the Newport Tomorrow Residential Goals Committee's report regarding future development. In addition, the Mayor was directed to appoint two councilmen to serve on a committee with two Planning Commissioners and a representative of the Balboa Island Improvement Association, so that ideas and information could be passed on directly from the Council to the Planning Commission.

February 19, 1971

Letter sent to the Mayor from the Chairman of the Planning Commission indicating a reluctance on the part of the Commission members to participate in a Council-Commission-Citizens' committee to study a total plan for the Promontory Point and Balboa Wharf areas.

Re: Promontory Point

-2-

August 2, 1971

February 22, 1971 - City Council Meeting

The Mayor appointed Councilman Kymla and Mayor Hirth to serve on the Promontory Point Committee with two Planning Commissioners and a representative of the Balboa Island Improvement Association.

March 2, 1971 - Joint City Council/Planning Commission Meeting

A Zoning and Development Procedures Committee was established, consisting of three councilmen and three planning commissioners.

March 8, 1971 - City Council Meeting

The Council rescinded the action taken February 22, 1971, appointing Councilman Kymla and Mayor Hirth to serve on the Promontory Point Planning Committee, and Use Permit No. 1494 was returned to the Planning Commission to allow the applicant to submit modifications to the original plan for reconsideration.

June 3, 1971 - Planning Commission Meeting

The Commission approved Use Permit Application No. 1494, subject to the condition that the action of the Planning Commission would constitute a recommendation to the City Council and that final determination of the application should be decided by the City Council.

It is the contention of certain members of the Balboa Island Improvement Association that they were never notified that the special committee to study a total plan for the Promontory Point and Balboa Wharf areas was dissolved, that they had no knowledge that The Irvine Company was working on a revised plan to be submitted to the Planning Commission, and therefore the action of the Planning Commission at their meeting of June 3, 1971, in approving the revised development plan for Promontory Point was illegal.

It is my opinion that this argument is tenuous at best, and without merit, for the following reasons:

1. The action of the City Council in dissolving the special study committee was taken at a regularly called public meeting with the Press in attendance.

Re: Promontory Point

-3-

August 2, 1971

2. The Balboa Island Improvement Association had constructive notice that the committee had been dissolved, by the article appearing in the Daily Pilot on March 10, 1971, a copy of which is attached for your information.
3. The City Council had no legal duty or obligation to personally notify the Balboa Island Improvement Association of the special committee's dissolution, in light of the fact that its action was taken at an open and public meeting.
4. Whether or not the committee was ever constituted is irrelevant in that the initial action taken by the City Council on February 8, 1971, was to refer the matter back to the Planning Commission. The formation of the special study committee was only incidental thereto, and there was no directive that the Planning Commission could not consider a revised plan without the special committee's input. The purpose of the committee was to act as an aid to the Planning Commission, and whatever its studies might have shown would not have been binding on the Planning Commission.
5. Even had a committee been formed to discuss a revised plan, and even if they had made certain recommendations and suggestions as to how the property in question should be developed, The Irvine Company would have had a right to submit a new proposal without incorporating any of the committee's suggested revisions.
6. Those in opposition to the revised development plan as proposed by The Irvine Company had an opportunity to voice their disfavor before the Planning Commission at a public hearing on June 3, 1971.



DENNIS O'NEIL
Acting City Attorney

DO'N:nh
Att.

cc: City Clerk
Acting City Manager
Community Development Department

Point Apartment Action Postponed

The Newport Beach City Council has again put off action on the Irvine Company's Promontory Point apartment project.

The council Monday returned the proposal to the planning commission to allow the developer to modify plans for the 620-unit structure.

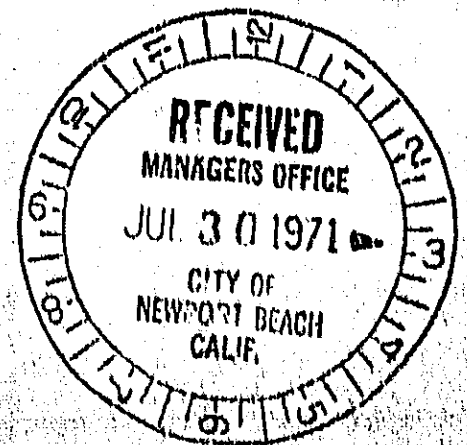
The planners had refused an earlier council directive to participate in a council-commission-citizens' committee to work out development possibilities.

The original proposal for the 30-acre tract, located bayward of Pacific Coast Highway above Balboa Island, has drawn protests from residents of Balboa Island and nearby Beacon Bay and Irvine Terrace at both planning commission and council hearings.

James E. Taylor, representing the Irvine Company, told the council Monday night he would not object if the plan was sent back to planners.

PROMONTORY POINT APARTMENTS

A REPORT TO THE CITY COUNCIL
CITY OF NEWPORT BEACH
JULY 30, 1971



July 30, 1971

City of Newport Beach
City Council
3300 Newport Boulevard
Newport Beach, California

Gentlemen:

RE: Use Permit 1494 - Promontory Point Apartments

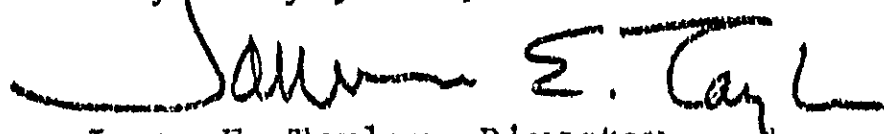
Transmitted herewith is a report prepared by The Irvine Company concerning its application for approval of a use permit to construct 536 multi-family dwellings on approximately 30 acres of land herein referred to as Promontory Point. The report has been prepared in an effort to clearly put into perspective the facts associated with the proposed development.

Much has been stated and written concerning this matter subsequent to the filing of the application on October 19, 1970.

Testimony on the subject has been given by professional technicians, both public and private, and by interested citizens. In the following report, The Irvine Company has attempted to identify the issues relevant to the proposed Promontory Point apartment project and to provide answers to said issues.

Certainly the City Council is aware of the many lengthy hearings that have been conducted by various agencies of the City government to date. It is hoped that the information contained within this report will assist the Council in its deliberation on Use Permit Application 1494 or, at least, provide insight into the past actions which have resulted in an endorsement of the proposed project by the City staff, the Parks, Beaches and Recreation Commission and the Planning Commission.

Very truly yours,



James E. Taylor, Director
General Planning Administration

JET/jmd

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PART I. CHRONOLOGY

The following is a chronological history of the proceedings with various private and city agencies related to the filing and processing of Use Permit 1494, Promontory Point Apartments.

- 8/11/70 Irvine and city staff study session
- 8/20/70 Irvine and Planning Commission study session
- 9/15/70 Irvine, Balboa Island Improvement Association and Irvine Terrace Homeowners Association meeting
- 9/17/70 Irvine, Balboa Merchants Association meeting
- 10/12/70 Irvine, City Council study session
- 10/19/70 Filing of Use Permit Application
- 11/ 3/70 Parks, Beaches and Recreation Commission public hearing
ACTION: Meeting continued
- 11/ 5/70 Planning Commission public hearing
ACTION: Meeting continued
- 11/17/70 Parks, Beaches and Recreation Commission
ACTION: Conditional approval
- 12/ 3/70 Planning Commission public hearing
ACTION: Meeting continued
- 1/ 5/71 Planning Commission public hearing
ACTION: Use Permit Application denied by 4-2 vote
- 1/11/71 City Council study session on park issue for Promontory Point
- 1/18/71 Filing of appeal to City Council of Planning Commission action
- 2/ 8/71 City Council public hearing on appeal
ACTION: Matter referred to special committee
- 3/ 2/71 Joint Planning Commission - City Council study session at Mariners Library
- 3/ 8/71 City Council public hearing
ACTION: Rescinded action to form a study committee and referred matter of Use Permit back to Planning Commission

- 5/ 8/71 Parks, Beaches and Recreation Commission meeting
ACTION: Meeting continued
- 6/ 1/71 Parks, Beaches and Recreation Commission meeting
ACTION: Unanimous approval of project
- 6/ 3/71 Planning Commission public hearing
ACTION: Use permit approval by a 4-3 vote

PART II. REVISIONS OF ORIGINAL SITE PLAN

Following the January 5, 1971 disapproval of Use Permit Application 1494 by the Planning Commission in a 4-2 vote, The Irvine Company appealed the decision to the City Council. On February 8, 1971, the City Council conducted a public hearing on the appeal. The hearing concluded with a 6-0 vote by the Council (Councilman Lindsley Parsons was absent) to refer the matter to an ad hoc committee for a possible compromise recommendation.

The ad hoc committee was to be comprised of two members of the City Council, two members of the Planning Commission a representative of the Balboa Island Improvement Association, and a representative of The Irvine Company.

The City Council directed the ad hoc committee to use as guidelines major portions of the Newport Tomorrow Residential Goals Committee Report. The ad hoc committee, by motion, was also directed to explore the following concerns, as they relate to Promontory Point:

1. View corridors to lower Newport Bay.
2. Possibility of increasing publicly accessible open space.

3. Possibility of softening the visual impact of structures overlooking new Bayside Drive.
4. Further minimization of the effects of traffic generated by the project.
5. Responses to points noted in a January 11, 1971 city staff report on park facilities, public access and vista points at Promontory Point.

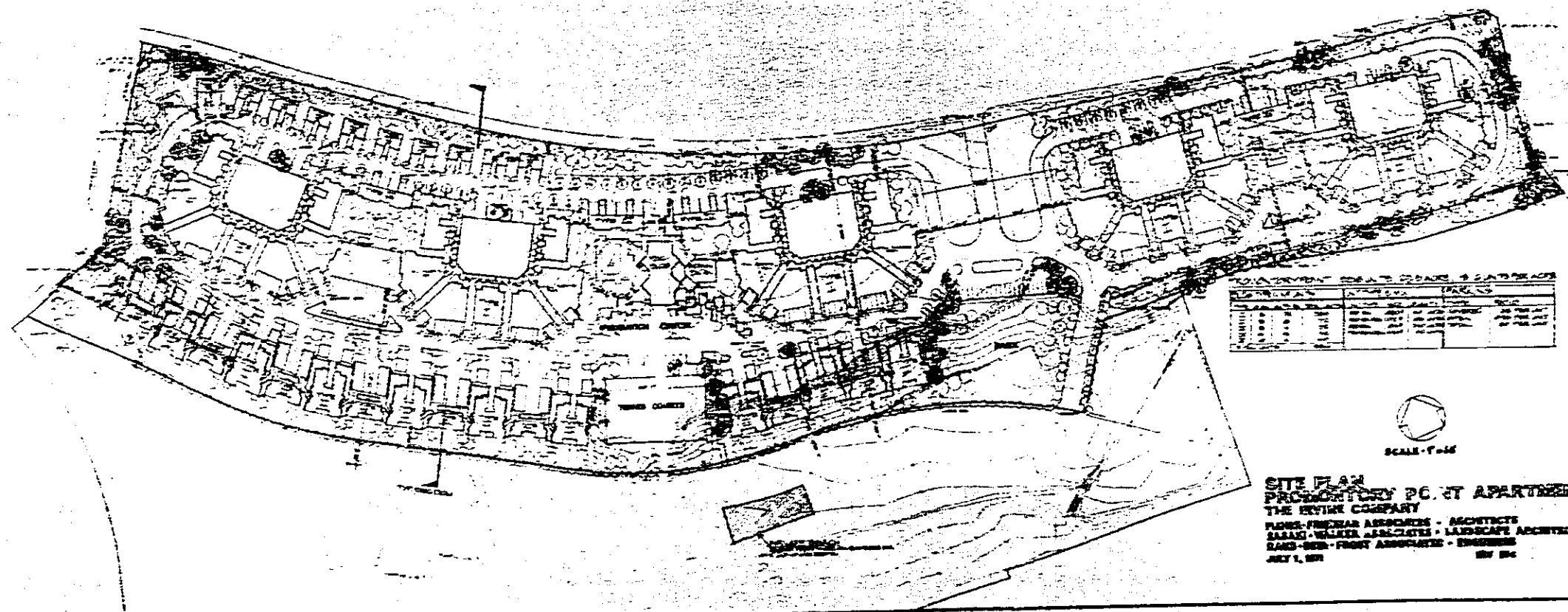
On March 8, 1971, the City Council rescinded its motion establishing the ad hoc committee and moved to return Use Permit 1494 to the Planning Commission to allow the applicant to submit modifications of the original plan. Despite the abandonment of the ad hoc committee, The Irvine Company used the aforementioned five concerns as a guide to amending the original site plan for Promontory Point.

These concerns were addressed in the following manner:

1. VIEW CORRIDORS

A significant open area in the central portion of the site has been created by eliminating several apartment units and adjusting the location of structures on the easterly portion of the 30-acre property. (See attached map) This proposed open area measures a minimum of 250 feet in width. It will provide motorists traveling on Pacific Coast Highway with views of Newport Harbor, Balboa Island, Balboa Peninsula and beyond to the Pacific Ocean.

The ground at this open space location is at a grade comparable to or lower than the adjacent highway. Through the incorporation of landscaping controls, the bay vista created will be permanently preserved.



NO.	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
1	CONCRETE	100	1.00	100.00
2	CEMENT	200	0.50	100.00
3	IRON	50	2.00	100.00
4	STEEL	100	1.00	100.00
5	BRICK	1000	0.10	100.00
6	GLASS	100	1.00	100.00
7	PAINT	100	1.00	100.00
8	LABOR	100	1.00	100.00
9	PERMIT	1	100.00	100.00
10	TOTAL			1000.00



SCALE - 1" = 40'

SITE PLAN
PRECINCTORY P.C. 77 APARTMENTS
THE HYVIM COMPANY
 FLORES-FRIGERAS ASSOCIATES - ARCHITECTS
 SASAKI-WALKER ASSOCIATES - LANDSCAPE ARCHITECTS
 SAKS-DEB-FRIST ASSOCIATES - ENGINEERS
 JULY 1, 1971

2. PUBLICLY ACCESSIBLE OPEN SPACE

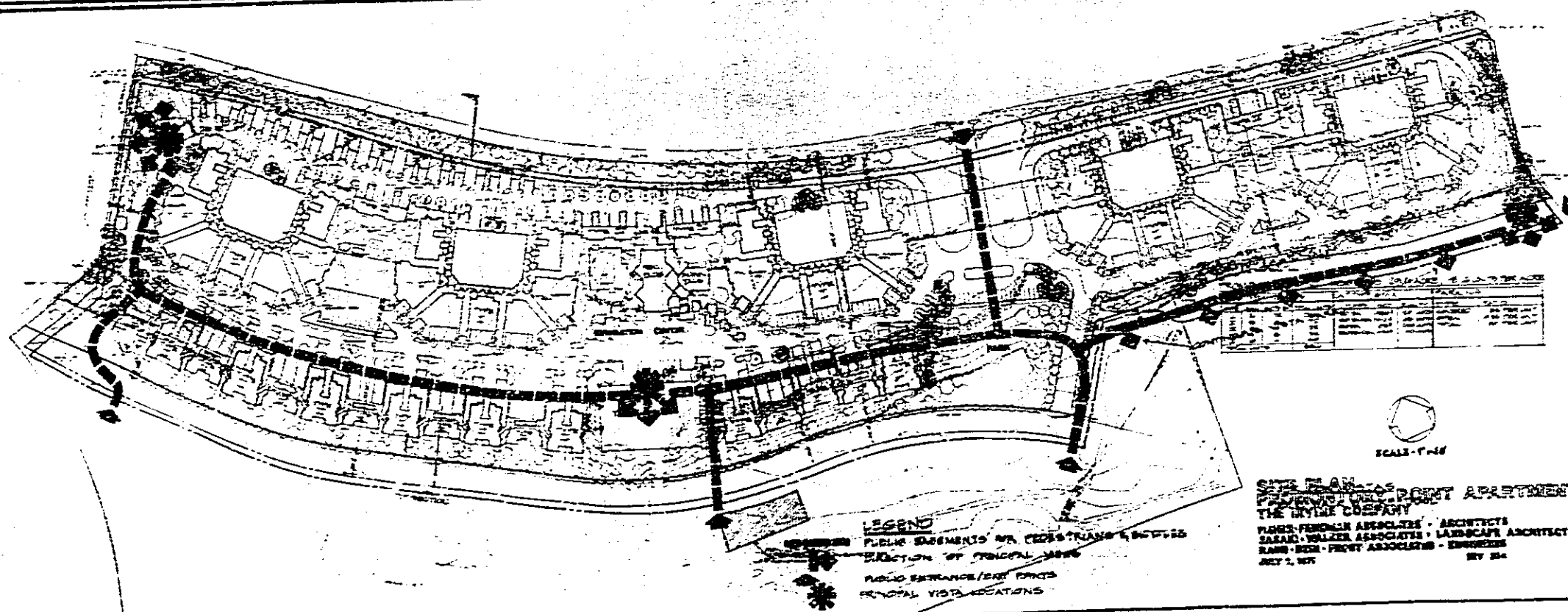
Related to the view corridor in the revised Promontory Point plan is a public parking area at an on-site vista "lookout" point designed to give the motorist an opportunity to enjoy the view from this location at his leisure.

Additionally, public access to Promontory Point has been provided by the proposed granting of irrevocable easements for pedestrian and bicycle paths throughout the site. (See attached map) These trails will link to a one-third acre park, which will be available for public use, though developed and maintained by The Irvine Company. This small park, located in the extreme southeast corner of the property, will provide an area for passive recreation as well as a point from which to view the bay. Other view areas for public use will be created near the center and at the west end of the site. They too will be located along the proposed pedestrian and bicycle trail system.

Beyond these privately developed amenities proposed for public use, the revised Promontory Point plan makes provision for acquisition by the City of a 1.5 acre public park site within the boundaries of the property. It would be located at the south end of the scenic corridor. If the City does not wish to acquire the park site, it is The Irvine Company's intention to retain the area for private recreational uses.

3. VISUAL IMPACT OF STRUCTURES

A softening of the visual impact of the apartment project as viewed from Bayside Drive (relocated) has been achieved in the



revised plan by eliminating 56 units that had been originally orientated to this arterial. Forty of these eliminated units had taken access from new Bayside Drive. The result of this major change has been the creation of a landscaped berm some 16 feet high and a minimum 30 feet in depth, as measured from the new Bayside Drive right-of-way. Thus, the entire frontage of new Bayside Drive will provide a pleasant visual experience to passing motorists. Further, traffic will be decreased from original projections since no apartment units are now proposed to take direct access from new Bayside Drive.

4. TRAFFIC GENERATION

Since the submittal of the original site plan for Promontory Point, the subject of traffic has been a major issue at public hearings before the Planning Commission and the City Council. The debate has raged despite concurrent findings of three independent traffic studies that traffic generated by the proposed project would have no appreciable effect on vehicular movement on either new Bayside Drive or Pacific Coast Highway.

The studies were conducted by J. D. Drachman & Associates, traffic consultants to The Irvine Company; Robert Crommelin & Associates, hired by the Balboa Island Improvement Association; and Robert Jaffe, traffic engineer for the city of Newport Beach. Their reports are now on file with the City staff and available to the City Council for review.

Among conclusions drawn by these consultants--and this cannot be overemphasized--is that the main traffic problem associated with the development of Promontory Point or any other property

adjacent to the highway is that, at the present time, vehicular use of the arterial is at a point of saturation during specific periods. The maximum traffic volume projected for the Irvine development is, according to the consultants, insignificant in comparison with the complexity of the problems that already exist on the highway during these specific periods.

The consultants' conclusions, of course, relate only to conditions envisioned by studies of the original site plan for Promontory Point. They do not take into consideration the additional traffic and circulation benefits to be obviously gained from the 14% reduction in dwelling units as proposed by the revised plan.

5. PLANNING STAFF CONCERNS

The Newport Beach Planning staff, in a January 11, 1971 report to the City Council, recommended consideration of five options concerning parks and public access at Promontory Point.

These are the options:

- A. Develop a 1.25 acre park at the easterly end of the site, adjacent to Jamboree Road.
- B. Develop a narrow parkway, accessible to the public, that is continuous from new Bayside Drive to Jamboree Road with on-street parking in a view area above the Bayside Shopping Center.
- C. Develop a road, accessible to the public, from new Bayside Drive to the site's proposed west end view point, with adequate turn-around and parking facilities.
- D. Develop any combination of alternatives 1, 2 and 3.
- E. Do nothing.

In response to these concerns, The Irvine Company is of the opinion that the first four have been met in the revised plan. Specifically, there is now an opportunity for public acquisition of the 1.5 acre park site centrally located within the property. Also, road accessibility from Bayside Drive is available. Further, a system of public easements for pedestrian and bicycle paths leading to vista points at the easterly, central and westerly portions of Promontory Point is provided in the new plan.

In regard to automobile access by the public to points throughout the development, The Irvine Company is of the view that this would not be desirable. It would infringe upon the quietude, comfort and privacy of those who live at Promontory Point. Pedestrians and bicyclists, of course, would be welcome along the easements and at the passive recreational sites planned for their enjoyment. This conclusion by the Company is concurred in by the Newport Beach Parks, Beaches and Recreation Commission, which has endorsed the revised site plan.

In summary, there is little argument that public access to Promontory Point is unequalled by any other private development in the City. The opportunities of the general public to come onto the site, to enjoy its view amenities and to walk or ride bicycles along the entire frontage of the bluff area have been integrated into the plan in the form of irrevocable public easements, and at no cost to the citizens of Newport Beach.

PART III. RECOMMENDATIONS OF THE PARKS,
BEACHES AND RECREATION COMMISSION

In the processing of Use Permit 1494, the Promontory Point site plan underwent considerable review by the City Parks, Beaches and Recreation Commission. While preparing its revised plan. The Irvine Company took into careful account the suggestions and recommendations of this commission. The result of that effort by the Company was an endorsement of the revised plan by this body of the City government.

The P B & R Commission's letter of endorsement submitted to the City Council in a letter dated June 3, 1971, and signed by Chairman James Reubel, Jr., contained two recommendations. They were:

1. That the project be approved as amended, including the pedestrian and bicycle trail system and various view points as proposed in the new plan.
2. That the City Council negotiate with The Irvine Company for acquisition of the 1.5 acre parcel suggested for development as a public park.

The letter also included this observation:

"During the past several months, the P B & R Commission has made several requests to The Irvine Company for certain public facilities to be incorporated into the plan for the development of Promontory Point. The Irvine Company has gone to great lengths to incorporate these requests and it is felt that they have sincerely attempted to incorporate the thoughts that the Commission had previously projected."

PART IV. PLANNING COMMISSION RECOMMENDATIONS AND CONDITIONS

On June 3, 1971, the Newport Beach Planning Commission voted for approval of the revised site plan for Promontory Point after a second public hearing and receipt of a comprehensive report from the City staff, which recommended the affirmative action.

The staff report contained 28 conditions to be complied with prior to the issuance of use and occupancy permits. The Planning Commission agreed to the conditions and added another which requires that the view corridor in the central portion of the property be maintained as an open area having a minimum width of 250 to 280 feet.

The Irvine Company is willing to accept and comply with all the conditions with the exception of Condition 8. This would require that a grade separation be commenced before January 1, 1974.

It is the Company's position that this type of facility is not needed to handle vehicular movements to and from the site along Pacific Coast Highway. A proposed traffic signal to be installed at the developer's expense will satisfactorily accommodate such movements. This position is based on reports by the City Traffic Engineer and by The Irvine Company's traffic consultants.

To reinforce this point of view, the Company asked the City Engineer, at the June 3, Planning Commission meeting, whether the grade separation requirement was necessary, in his opinion. He replied, in part, that the intersection proposed at the entrance to Promontory Point would be a "...comparatively minor intersection and the Public Works Department does not feel that the costs--

both in terms of dollars and land use of a grade separation or interchange--could be justified at this location." He noted further,"... a grade separation or an interchange at this location would also, I think, affect the Dunes Park and this would probably not be a very desirable thing."

Accordingly, The Irvine Company respectfully requests that the requirement of a grade separation at this location be deleted as a condition for approval because there is no demonstrable need for such a facility.

PART V. RESPONSE TO OPPOSITION ARGUMENTS AND ATTITUDES

During the first planning commission hearing on this subject, held some nine months ago, and through all subsequent hearings, many specific points of opposition to the Promontory Point project have been raised, largely by Balboa Island residents.

Our response to those objections that are pertinent and germane to the proposed project is as follows:

1. COMPATIBILITY OF LAND USE

The principal objection to the Promontory Point plan, both original and revised, has centered on the proposed land use. Those opposing it have asserted that multi-family dwellings on this 30 acre site are incompatible with surrounding uses.

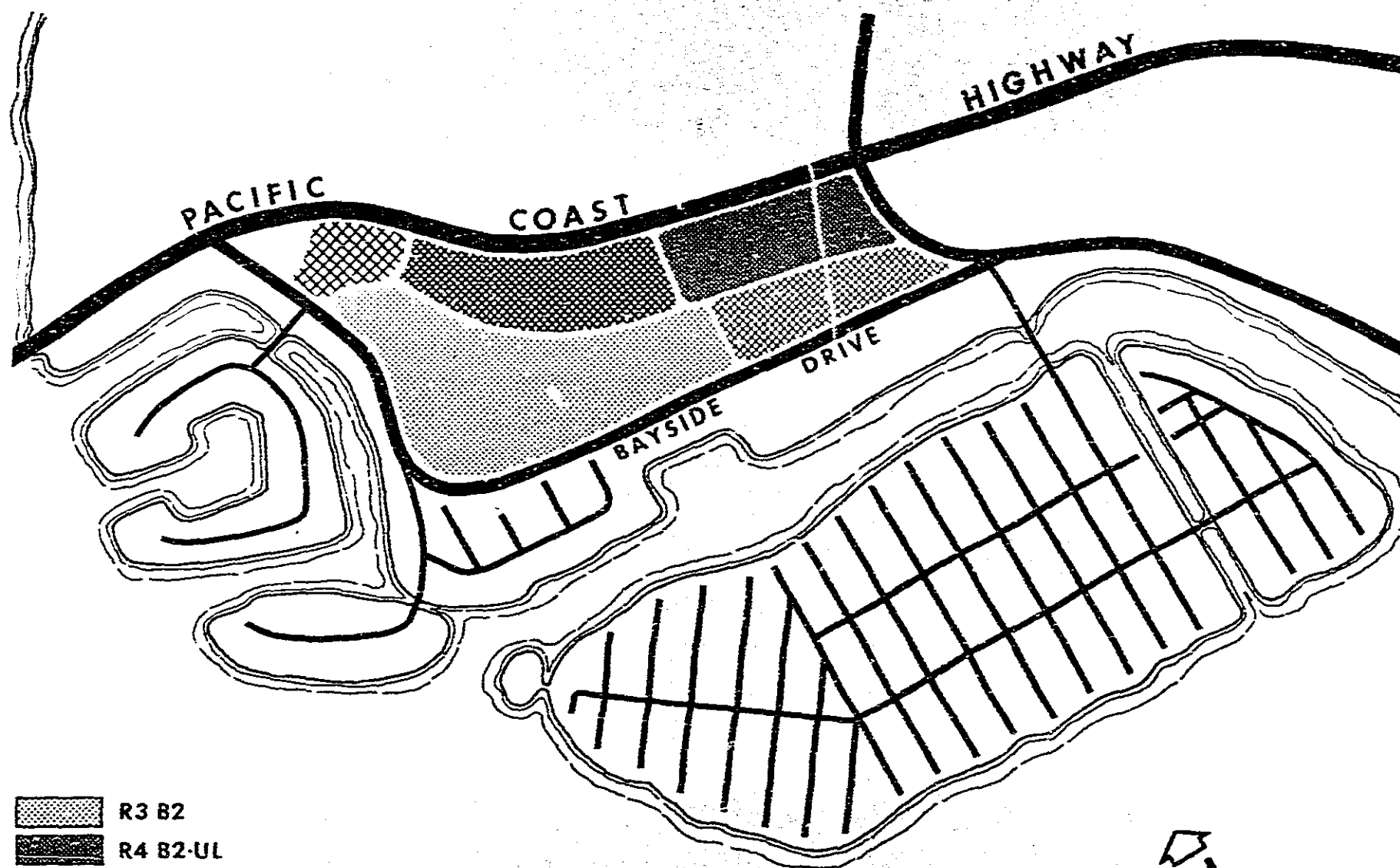
The Irvine Company contends there is no incompatibility and that the proposed project is in compliance with long extant and official planning goals for the area. The record is visible; the City's own position on the issue is clear.






This is some of the background:

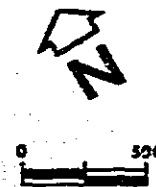
In 1963, a Master Plan amendment was adopted by the city of Newport Beach (attached). It showed the Promontory Point site as the location of multi-family residential and commercial development. That amendment remains unchanged. No city official has formally recommended that it be changed. The City staff, in fact, in response to both the original Use Permit 1494 application and the currently revised application, has supported the Company's position that multi-family development is an appropriate and reasonable use of the land. Further, as earlier noted, the City Parks, Beaches and Recreation Commission and the City Planning Commission have endorsed the project.

The Irvine Company is gratified with these endorsements because it has long envisioned the development of an apartment complex of a unique, attractive nature at Promontory Point. It was this goal that has prompted the Company in 1963 to approach the City for the initiation of action leading to the aforementioned Master Plan amendment. There was then and there is now, a very strong indication of a great demand for rental units with the amenities that are afforded by the Promontory Point project. The need is particularly pressing locally.

By way of illustration, at the last planning commission hearing on Use Permit 1494, a representative of the Avco Company noted that his company had brought 550 families to the Newport Beach area in recent months and would soon be bringing more as Avco's new 16 story headquarters building at Newport Center is filled. Of the 550 families already here, he reported, about 60% are living outside



-  R3 B2
-  R4 B2-UL
-  C-N
-  C-I-H
-  COH-UL



MASTER LAND USE PLAN AMENDMENT NO. 7
CITY OF NEWPORT BEACH

JULY 18, 1963

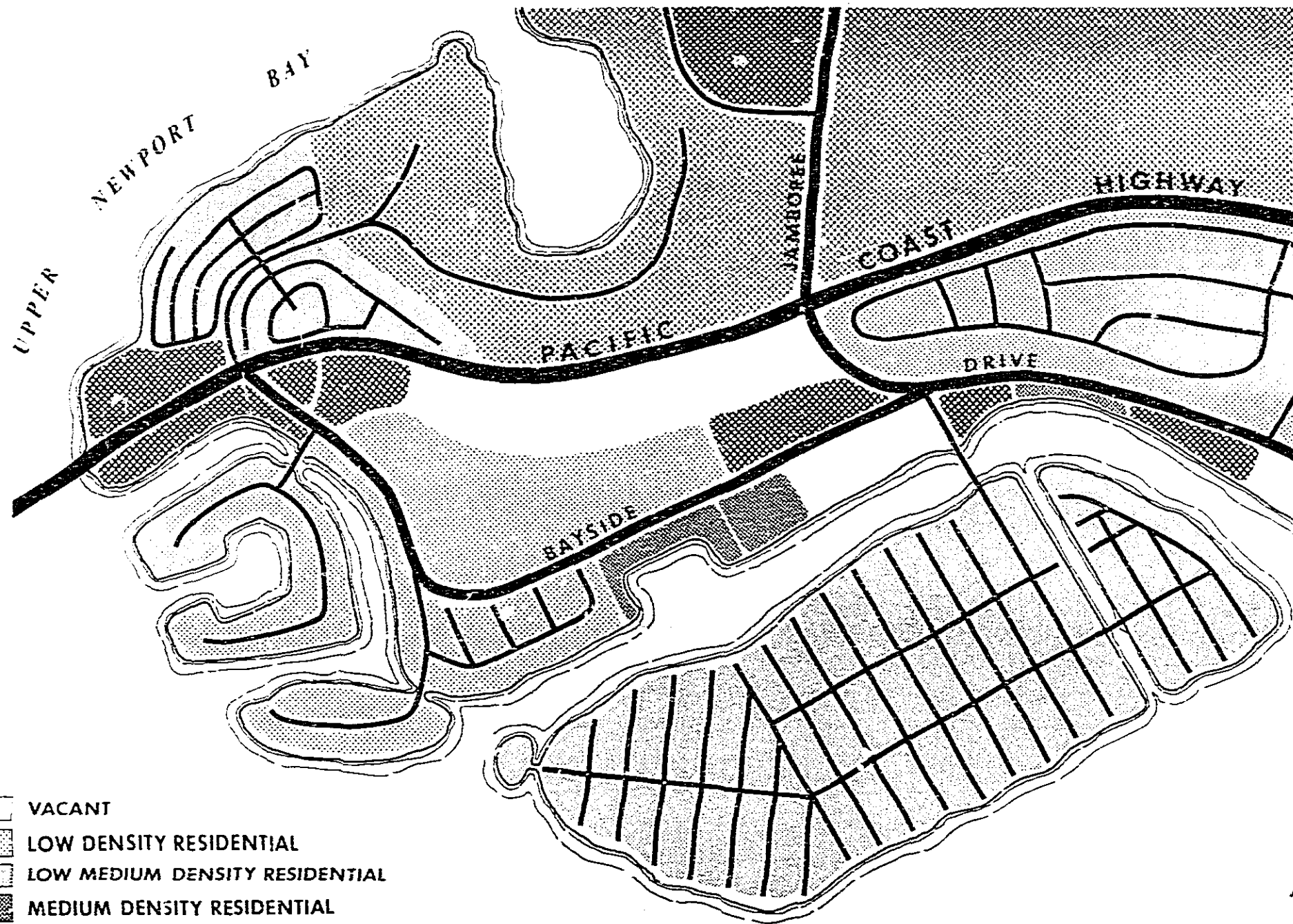
Newport Beach because of an existing shortage of sufficient housing in the City. These families are using city services (i.e., fire and police protection) but they are spending their money and paying their taxes outside the City.







To suggest that the land use proposed for Promontory Point is incompatible with surrounding uses, is to ignore significant existing zoning and development in the same general area. This is demonstrated in a general land use map submitted as an exhibit to the Planning Commission on June 3. The map (attached) shows substantial areas immediately adjacent to Promontory Point that are either used or zoned for commercial, commercial-residential or multi-family residential. It is thus patently incorrect to argue, as has been argued, that the area is predominantly single-family residential. There is no single development pattern in the area, other than one of heterogeneity.

2. DENSITY OF DEVELOPMENT

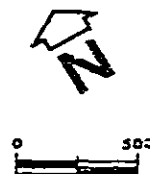
Another frequently heard assertion of Promontory Point opponents is that the project's proposed density of 18 dwelling units per acre is excessive. It is the argument that is excessive. The fact is as borne out by a June 3 City staff report; the proposed density of the Irvine development is at least three-fifths less than the average density (46) of recently approved non-Irvine apartment developments elsewhere in the City of Newport Beach. It is even less than the maximum density (25) now allowable on Balboa Island under existing zoning.

In regard to Balboa Island, it would seem appropriate at this point to note that the problems of density associated with that



-  VACANT
-  LOW DENSITY RESIDENTIAL
-  LOW MEDIUM DENSITY RESIDENTIAL
-  MEDIUM DENSITY RESIDENTIAL
-  RETAIL COMMERCIAL
-  COMMERCIAL RECREATION

GENERAL LAND USE **CITY OF NEWPORT BEACH**



FEBRUARY 1971

community are not applicable to the Promontory Point project.

Density on Balboa Island is of infinitely more serious concern because of the island's limited access and its woefully inadequate curbside and on-site parking facilities. These two problems combine to create intolerable vehicular congestion on the island for considerable periods of time during the year.

Promontory Point, on the other hand, is a planned development with a balanced circulation and on-site parking system designed to preclude a Balboa Island type of situation. It is, therefore, the position of The Irvine Company, supported by expert consultants, that density--in terms of traffic and circulation--will not be a problem at Promontory Point.

3. TRAFFIC AND CIRCULATION

Part II; paragraph 4, titled "Traffic Generation," of this report addresses itself to this subject. Accordingly, it would appear sufficient to say, at this point, that three traffic experts, working independently of each other, concluded that proposed provisions to handle Promontory Point generated traffic are appropriate to the safe and expeditious movement of vehicles both on and off the site, and will not burden the existing circulation system of the city of Newport Beach. There has been no documented evidence submitted at any public hearing that is contrary to this view.

4. ARCHITECTURAL DESIGN

Evaluations, and they have been made, of the site design and architecture of Promontory Point are beyond rebuttal because they are, of necessity, totally subjective in nature. Additionally, The Irvine Company has no interest in questioning the background

qualifications of those few who have criticized design plans for the project.

Dealing only and totally with the facts, this much can be said.

The project has been designed by one of California's most highly respected architectural firms, Fisher, Friedman & Associates. The site planning and landscaping design have been undertaken by an equally regarded company, Sasaki, Walker Associates, Inc.

The design solution proposed for Promontory Point is intended to reinforce the configuration of the bluff. As a consequence, units are designed to cascade down the face of the bluff rather than be clustered at the top, a more conventional approach. Additionally, the architectural vocabulary selected is one that emphasizes the Mediterranean climate and atmosphere of the Newport Beach area. Materials to be used include white stucco, rough-hewn timber trim, wrought iron grillwork and tile roofs.

In summary, the Company is of the opinion that the project, as designed, will provide Newport Beach with an aesthetically complementary element.

5. PUBLIC ACCESS AND RECREATION

One of the anomalies of the entire Promontory Point debate is that those who insist on transforming the site into a single-family residential compound are also strong proponents of more "windows to the bay," more open space and more recreational opportunities in the same general area.

One desire clashes with the other. It is a hopeless inconsistency, and it is especially discouraging in light of the

unarguable fact that the proposed site plan provides greater access, more vista points and more recreational opportunities for the public than would be remotely possible under a development program calling for economically viable single-family residential uses.

The private nature of the single-family lot, for which the owner pays a premium, is such that there is no question that little or no public access or views to the bay would be constitutionally achievable should Promontory Point become a mere extension of Irvine Terrace, as some have urged.

PART VI. THE CASE FOR PROMONTORY POINT

The following comments constitute a summation of The Irvine Company's position on Use Permit Application 1494, as amended.

1. LAND USE

The proposed site plan, as originally submitted and as subsequently revised, is in accord with the city of Newport Beach's adopted 1963 Master Plan of Land Use for the Promontory Point area. The proposal's only departure from the Master Plan is a positive one: The density of the planned apartment development is one-third the density envisioned by the Master Plan.

Since adoption of the amendment creating the Master Plan for the area, no action has been taken by the City indicating the 1963 designation of land use is no longer acceptable. In fact, as recently as May, 1970, during discussions with the Planning

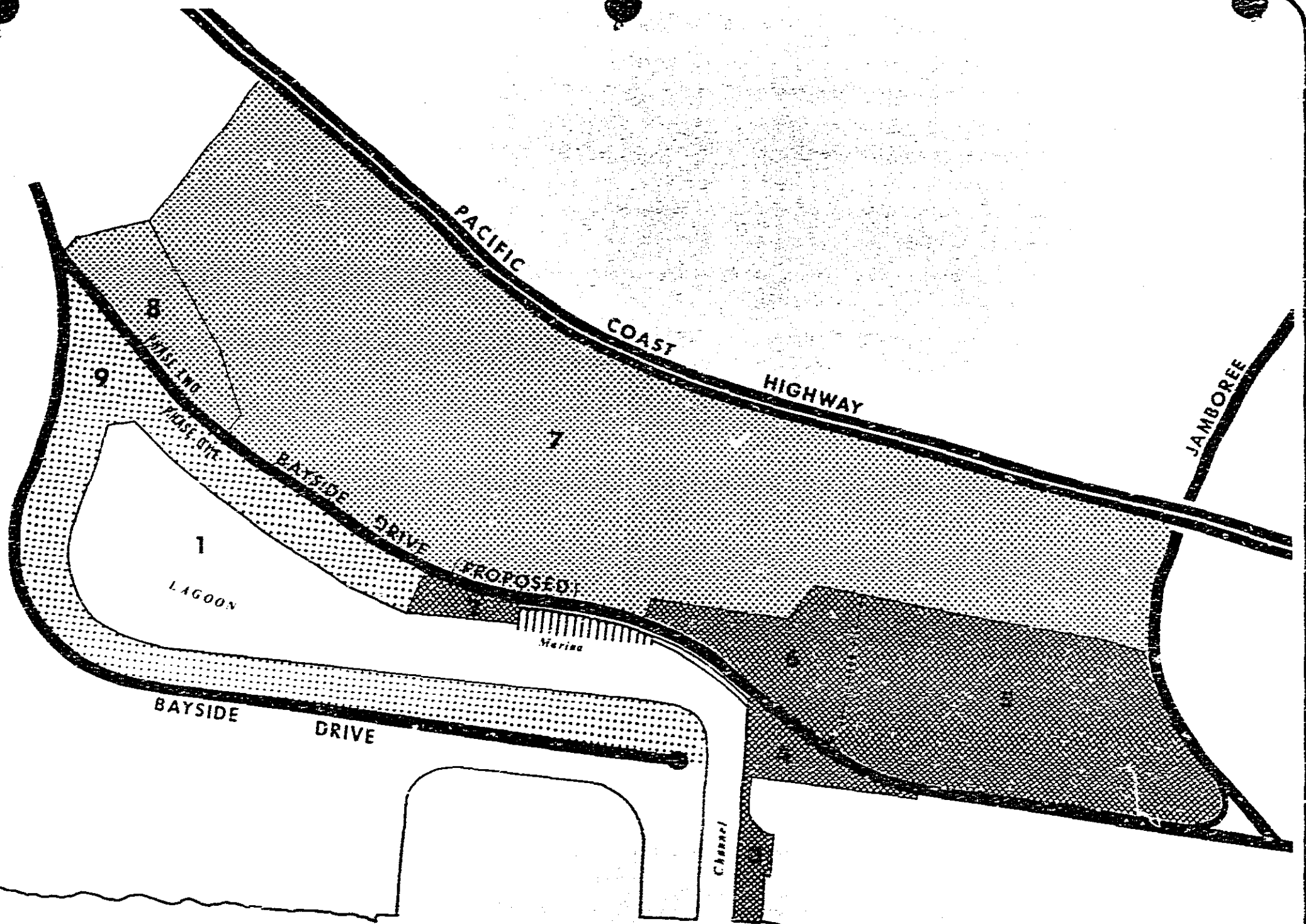
Commission on the single-family Promontory Bay project, The Irvine Company asked the Commission whether it had any questions concerning the anticipated multi-family development of Promontory Point, as indicated on maps exhibited to the Commission (attached). There were no questions.

Reinforced by this implied reaffirmation of the Master Plan, The Irvine Company proceeded in good faith with the completion of planning and engineering studies on the development of multi-family units at Promontory Point.




One of The Irvine Company's grave concerns throughout the year long processing of Use Permit Application 1494 has been the continuing prospect of circumvention of established and recognized planning and development procedures. These involve the study and designation of land use and the subsequent implementation and realization of those uses through the mechanisms of zoning. It is the only land use control system that is equitable to both the municipality and the land owner. Each knows where the other stands and why. As a consequence, long range economic and development plans can be made, and their impact on the community projected and accommodated.

Accordingly, actions that grant zoning or special permits must have a direct relationship to Master Plan provisions. The Irvine Company's Promontory Point proposal has such a direct relationship.

One vehicle which leads to ultimate development of master planned areas is the conditional use permit. It is not, by law, intended to designate land use. That responsibility lies within the province of the master planning procedure. The use permit



LEGEND

-  Low Density Residential
-  High Density Residential
-  Commercial



NEWPORT BAY



procedure is intended only to provide the City with an opportunity to control the dimensions of design during its review of certain projects.

It is because of this understanding of the concepts of master planning and use permit procedures that The Irvine Company has invested heavily (to date, \$196,000, exclusive of holding costs) in its Promontory Point studies and has borne patiently the delays imposed on the project by city government.

2. PROJECT DESIGN

The presence of the site in a planned community area, the diverse nature of surrounding developments, the long, narrow configuration of the site and its view of the bay provided the planning and economic bases for the project design.

The architectural style developed for Promontory Point is believed by The Irvine Company to be compatible with the site's surrounding environment as well as a reinforcement of the bluff-type nature of the site itself. Further, the choice of building materials is aimed at reflecting the Mediterranean character of the general area.

It might be appropriate to note here that the combination of architecture and site design prompted one city planning commissioner to state publicly: "For a multiple dwelling development, it has got to be the best I have seen proposed in Newport Beach since I have been on this commission, as far as I am concerned." He then cast his vote with the Commission majority favoring the project.

3. TRAFFIC AND CIRCULATION

This is an issue that, in The Irvine Company's opinion, has been effectively answered by the studies, findings and testimony of three traffic experts. One of these experts was a consultant retained by The Irvine Company, proponents of the project. Another was retained by the Balboa Island Improvement Association, opponents of the project. And the third was the City's own traffic engineer, whose study was conducted for neither advocate.

Their conclusions were the same: The Promontory Point apartment complex should have little impact on the existing traffic problems of the City in general or of Balboa Island in particular.

Additionally, the City Engineer is on record stating that the ingress and egress solutions proposed by the Company are adequate to accomplish the movement of traffic entering or exiting the site along Pacific Coast Highway.

The aforementioned conclusions are the findings of responsible, reasonable men with unassailable professional expertise on traffic and circulation problems and the best means of achieving their solution. The Irvine Company believes it prudent, sensible and warranted to respect their opinions.

4. VIEW CORRIDOR, PUBLIC ACCESS AND RECREATION AMENITIES

In response to concerns expressed by the Parks, Beaches and Recreation Commission, some members of the Planning Commission and some members of the general public, The Irvine Company has incorporated into the modified plans for Promontory Point a significant "view corridor." This is in addition to many other public amenities

and recreational opportunities that are key elements of the plan.

The open space now provided in the central portion of the site, coupled with a discipline in the treatment of landscaping, will assure a vista from Pacific Coast Highway to lower Newport Bay, the Balboa Peninsula and the Pacific Ocean. In connection with this view corridor, a public parking area and vista point is included so that motorists will be able to park their cars and enjoy the view at their leisure.

Also included in the design for Promontory Point are provisions for irrevocable public easements to serve as pedestrian and bicycle trails along the front portion of the bluff for the entire length of the property. These trails will link together three vista points in the east, central and west portions of the site.

Other recreational amenities associated with the project include private swimming pools, tennis courts, therapeutic pools, volleyball courts and open recreation areas to meet the needs of Promontory Point's own residents. In addition, a private beach for the use of the apartment residents is proposed in the development plan. These private facilities assure no burdening of nearby existing public recreation areas by those who live in the complex. Promontory Point will take care of its own.

Few, if any, of the above mentioned Promontory Point recreational facilities--public and private--would be realizable if the property were to be developed as a single-family housing tract. It was awareness of this fact that resulted in a strong endorsement of the project by the Parks, Beaches and Recreation Commission.

5. NEIGHBORHOOD HETEROGENEITY

Mass construction of the homogenous or single style of housing, particularly single-family residences, has been and continues to be a major contributor to the sterile environment of so many communities today. It is an environment that is often characterized as urban sprawl. The Irvine Company for many years has worked with the city of Newport Beach in holding back that sprawl through the planning and development of heterogeneity in Irvine neighborhoods.

The result has been a balanced variety of housing types and other lifestyle opportunities for as broad a cross-section of the population as the market will allow.

The Promontory area, both bay and point, lends itself to a continuation of this developmental philosophy. In terms of housing, the alternative is transformation of the area into a single-family residential compound with all the exclusivity and limitations on public access and the impact on public facilities including schools implicit in such a program.

It is the view of The Irvine Company that such an alternative would be unwanted by all of the people of Newport Beach. It is an alternative that prompted one planning commissioner to remark, "I personally feel that Irvine Terrace is one of the unfriendliest neighborhoods one can imagine. It was bad enough on a piece of flat land but to develop a hillside view property right above a bay as handsome as ours in a manner in which the public has absolutely no view and can take no advantage of the uniqueness

of that character of sight I think is.....practically, its deplorable, it certainly at best is unfriendly."

6. SUMMARY

The Irvine Company has presented the documentation required for the processing of a use permit in the city of Newport Beach.

The proposed 536 unit multi-family development is in conformance with the existing Master Plan of the city of Newport Beach. All documented information submitted by The Irvine Company supports the contention that the systems associated with the proposed development are in balance and would not be detrimental to existing comparable systems or elements within the City.

Further, evidence has been submitted to the effect that the proposed development, by site design and architecture, would be compatible with surrounding land uses.

Finally, three city agencies--the municipal staff, the Parks, Beaches and Recreation Commission, and the Planning Commission--have endorsed the project and have recommended approval by the City Council.

For these reasons and others discussed elsewhere in this report, The Irvine Company respectfully requests that the City Council approve Use Permit Application 1494, as amended.

PART VII. EXCERPTS OF VERBATIM TRANSCRIPTS

The following are excerpts of testimony given at the Planning Commission meeting June 3, 1971, regarding various aspects of the Promontory Point Apartment Project.

REVISED SITE PLAN

James Hewicker, City Planner

"We feel that the revisions, as proposed, constitute a major effort by the applicant to overcome objections raised previously by providing additional public vistas and windows to the bay, by increasing the amount of public access, publicly accessible open space, by eliminating the visual impact of structures along Bayside Drive, which heretofore existed, and by reducing the traffic congestion and minimizing the effects of traffic along Bayside Drive, and we have attached to your report a copy of the staff report from the Director of Public Works in regard to this."

TRAFFIC GRADE SEPARATION

Ben Nolan, City Engineer

"This intersection will be a comparatively minor intersection and the Public Works Department does not feel that the cost, both in terms of dollars and land use of a grade separation or an interchange, could be justified at this location. A grade separation or an interchange at this location would also, I think, affect the Dunes Park and this would probably not be a very desirable thing."

MASTER PLAN

Lee Henley, Merchant

"I am a merchant in the Bayside Shopping Center. Three years ago, when negotiating a lease with The Irvine Company, we were informed that the City had a plan--the Master Plan was to put apartments upon Promontory Point and this was quite an influencing point in my being interested in signing a lease and going into business in Bayside Center. There are a lot of vacant areas in radius around that particular business point and, frankly, I feel that the area can stand more population and the business people are in need of more population and I am personally in favor of the plan as proposed."

Karl Barnum, Merchant

"Its been six years since we signed our lease and rolled the marbles to see if we could make a business venture over there. It was our understanding, at that time, when we began our business, that this was according to even an old master plan, it was to be put up in apartments."

HETEROGENEITY OF COMMUNITIES

James Felton, Avco Company

"We brought 550 families down here to Newport Beach and we will bring more down as our building is filled with other tenants. About 60% of the people who are employed at Avco, at the present time, are living outside of Newport Beach because there is not adequate housing for them here. They are using your services,

your police protection, your fire protection while they are in the City, but they are spending their money and their taxes outside Newport Beach and I am trying to represent people for the entire city, not just one neighborhood and I think this is the problem, a total city wide problem, not just a Balboa Island problem."

John Watson, Planning Commissioner

"I do feel that is is a well planned, well thought out, engineered project and I just cannot believe that an apartment house dweller does not have the same rights as I do in R-1 Back Bay area."

Gordon Glass, Planning Commissioner

"I personally feel that Irvine Terrace is one of the unfriendliest neighborhoods one can imagine. It was bad enough on a piece of flat land but to develop a hillside view property right above a bay as handsome as ours in a manner in which the public has absolutely no view and can take no advantage of the uniqueness of that character of sign I think is.....practically, its deplorable, it certainly at best is unfriendly....I feel that to continue and extend the type of design that Irvine Terrace so woefully shows is to turn back the planning clock 15 or 20 years and by The Irvine Company's own admission, they would not do that type of thing again in their downcoast development and I'm very glad they won't."

USE PERMIT PROCEDURE

Dr. George Brown, Planning Commissioner

"I'd have to say that for a multiple dwelling development its got to be the best I've seen proposed in Newport Beach since I've

been on this commission as far as I'm concerned. I am impressed by the argument that land use planning isn't itself the object of use permit procedures."

City Council Meeting August 2, 1971Council Agenda Item No. C-1

CITY OF NEWPORT BEACH

Staff reports on table in rear of room

July 28, 1971

TO: City Council
FROM: Community Development Department
SUBJECT: Use Permit Application No. 1494 (Revised)

Request to permit construction of a 536 unit apartment house complex.

LOCATION: Portion of Block 94, Irvine's Subdivision located on the southwest corner of Pacific Coast Highway and Jamboree Road, north of the proposed realignment of Bayside Drive (Promontory Point).

ZONE: Unclassified

APPLICANT: The Irvine Company, Newport Beach

OWNER: Same as applicant.

Planning Commission Findings and Recommendations

This application was considered by the Planning Commission at a public hearing on June 3, 1971. After viewing all of the evidence, hearing all of the testimony, and following a discussion of great length, the Planning Commission voted to recommend the approval of Use Permit Application No. 1494 (Revised) to the City Council. The vote was as follows:

AYES: Watson, Brown, Glass, Martin
NOES: Jakosky, Dosh, Adkinson

It was the feeling of the Commissioners voting against the application that this project failed to express the wishes of the citizens of Newport Beach with respect to its density, and that an apartment project in this location was not in keeping with adjoining or nearby single-family residential areas such as Irvine Terrace, Bayshores, Beacon Bay and Promontory Bay (proposed).

From the majority of the Commissioners voting in favor of the request, it was indicated that this was a well-planned and well-designed project which takes advantage of the site's natural view amenities and makes them available not only to the residents but the general public as well.

TO: City Council - 2.

A verbatim transcript of the Planning Commission's hearing on this request has been distributed to the City Council, Planning Commission, applicant, press and the President of the Balboa Island Improvement Association. An excerpt of the Planning Commission's Minutes of June 3, 1971 is attached.

Recommended Conditions of Approval

The approval of Use Permit Application No. 1494 is recommended subject to the following conditions:

1. That action of the Planning Commission shall constitute a recommendation to the City Council, and final determination of this application shall be decided by the City Council.
2. That a resubdivision and parcel map be filed, prior to issuance of building permits. PARCEL MAP
NOT FILED
3. That utility and street improvements be constructed as required in conjunction with the resubdivision and appropriate surety and agreements provided guaranteeing completion of the improvements.
4. That private streets conform to the City Private Street Policy, with the geometric design and structural section to be approved by the Public Works Department.
5. That public vehicular access to those private streets serving the vista points be irrevocable.
6. That precise design and location of all entrances and exits to public streets shall be subject to approval by the Director of Public Works.
7. That a traffic signal and related channelization be installed at the developer's expense at the connection with Coast Highway, with the design to be approved by the Traffic Engineer.
8. If the City Engineer and the City Traffic Engineer feel that the Coast Highway entrance, as signalized, is hindering the flow of traffic in that area of the City, a grade separation shall be commenced (prior to January 1, 1974) and that on or near that date, and prior to the commencement of said grade separation, that those two parties report to the Planning Commission their analysis of the situation as they have studied it.

TO:

City Council - 3.

9. That easements providing public pedestrian and bicycle access to the development shall be provided in locations meeting the approval of the Director of Community Development, and in a manner meeting the approval of the City Attorney.
10. That detailed landscaping plans, including a watering system and schedule for installation, shall be prepared by a landscape architect and shall be subject to approval by the Director of Community Development. Said landscaping may consist of lawn, trees, shrubbery and other plant materials and shall provide for immediate erosion control and perimeter planting of the entire site. The landscaping and watering system shall be installed in accordance with the approved plan and shall be properly maintained. In the event installation of landscaping is not completed on schedule, the City of Newport Beach may require a reasonable guarantee for completion of said landscaping.
11. That landscaping adjacent to Bayside Drive be designed so that sight distance problems will not be created.
12. That all swimming pools shall be enclosed with fencing as required by the Building Code.
13. That all trash shall be stored in closed containers located within walled enclosures.
- OK 14. That all development shall comply with the requirements of the Fire Marshal.
15. That identification signs not to exceed forty square feet per face (double faced) shall be allowed at one entrance on East Coast Highway and two entrances on Bayside Drive. Final design, including copy and lighting, shall be subject to approval by the Director of Community Development.
- OK 16. That the developer shall be responsible for all precautionary actions necessary to protect the quality of the waters of Newport Harbor during grading operations, and shall prepare and submit erosion control plans and specifications designed to prevent deposition of sediment.
17. That the question of acquisition and development of the one and one-half acre park site adjoining Bayside Drive for public use shall be determined by the City Council. If the City Council decides not

TO:

City Council - 4.

to acquire the park site, said area shall be developed for private recreation use exclusive of a public vista and vehicular parking area. In either event, easements providing public vehicular access to the park or vista shall be provided in locations meeting the approval of the Director of Community Development, and in a manner meeting the approval of the City Attorney.

18. There shall be no obstructions projecting above the south curb elevation of East Coast Highway within a triangle bounded by Jamboree Road, the easterly end of the south property line, and line projecting southwest from the intersection of East Coast Highway and Jamboree Road, at an angle to be determined by the Director of Community Development that will encompass the view of the Pavilion.
19. The main entrance shall be maintained as a view corridor with a width of between 250 and 282 feet, and no grade within that strip of land shall be above the elevation of the highway as it passes that opening.
20. That a building setback of not less than sixty feet, measured from the curb faces, be established from Jamboree Road.
21. That a beach area, available to residents of the Promontory Point Apartments shall be provided at Promontory Bay (south of Bayside Drive). A legal description defining said area shall be submitted to the Director of Community Development and made a part of this application.
22. That the design and improvement of all recreation and view areas, both public and private, shall be subject to the review and approval of the Director of Parks, Beaches and Recreation.
23. That either a pedestrian overcrossing or a fully actuated pedestrian signal be provided by the developer on Bayside Drive at the beach-marina location, with the design of such a signal to be as approved by the City Traffic Engineer.
24. That a plan showing the location and distribution of all off-street parking spaces shall be submitted to and approved by the Director of Community Development.

25.5° -
26.5°

OK

TO:

City Council - 5.

25. That all parking spaces shall conform to City standards, and perpendicular parking spaces abutting a property line or structure shall be provided with wheel stops. All driveways and off-street parking areas shall be paved, and parking spaces shall be properly delineated.
26. That all open and carport parking spaces adjacent to Coast Highway shall be screened with plant materials.
27. That all lights shall be shielded or directed so as to confine direct rays to the subject property.
28. That consideration be given to providing vehicular access to the shopping center parking area from the easterly entrance to the development on Bayside Drive.
29. That the developer shall submit an amended Site Plan for presentation to the City Council, incorporating the foregoing conditions of approval. The Director of Community Development shall be responsible for determining that all construction and development is in substantial conformance to the amended Site Plan and other conditions of approval.

Description

This proposed 536 unit adult apartment project would occupy a 29.55 acre site bounded by Pacific Coast Highway on the north, Jamboree Road on the east, the Chick Iverson Volkswagen Agency on the west and the proposed realignment of Bayside Drive on the south, except for that area occupied by the Bayside Shopping Center. In addition, this application also includes a parcel containing approximately 0.3 acres on the southerly side of Bayside Drive (realigned) proposed for private beach use. A map illustrating general land use surrounding the site is attached.

Previous Actions

Use Permit Application No. 1494 proposing the development of 620 units on this site was considered by the Planning Commission on November 5, 1970, December 3, 1970, and denied by a 4-2 vote on January 5, 1971. The action of the Planning Commission subsequently was appealed by the applicant. The appeal was considered by the City Council on February 8, 1971. Subsequent actions were taken by the Council on February 22, 1971, and on March 8, 1971, when the application was returned to the Planning Commission for modifications by the applicant and reconsideration. The following documents are attached for your review and information:

*Bayside Trailer Park
and the Dunes*

TO:

City Council - 6.

Planning Commission Minutes - January 5, 1971
Irvine Company letter - February 3, 1971
City Council Minutes - February 8, 1971
Planning Commission letter - February 19, 1971
City Council Minutes - February 22, 1971
City Council Minutes - March 8, 1971

Revised Application

On April 30, 1971, the Irvine Company submitted a revised site plan, sections and statistical information incorporating the following major changes:

① A shift in the location of dwelling units east of the Coast Highway entrance to provide a vista corridor 282 feet in width through the center of the project. This is proposed in addition to the vista sites and the pedestrian and bicycle linkages located above the Bayside Shopping Center, above the Volkswagen Agency and in front of the recreation center.

② A park of approximately one and one-half acres in size on the north side of Bayside Drive, west of the Bayside Shopping Center. The applicant has proposed that this park be dedicated to the City in lieu of the approximately \$85,000.00 which would accrue to the City as a result of the Building Excise Tax. Attached for your information and review are copies of correspondence from the Parks, Beaches and Recreation Director and the City Attorney regarding this question.

In the event this site is not developed for public use, the Irvine Company has indicated that it will be developed for recreational amenities of a private nature. However, in either case, the use of this site for recreational purposes will be an addition to planned on-site private recreational facilities which include three swimming pools, three therapeutic pools, three tennis courts, a sand volley ball court, shuffle board courts, an 11,000 sq. ft. recreation building and a private beach.

③ The replacement of all dwelling units and three driveways on Bayside Drive with a landscaped bluff having a minimum depth of thirty feet and a minimum height of ~~six~~ feet.

Sixteen

65,000 A
20,000 SLOPE
37,000 FLAT
8,000 PARKING

AVAILABLE AREA FOR

2" BASEBALL
FLAG FOOTBALL
FREE PLAY

TO:

City Council - 7.

Additional changes include a reduction of approximately fourteen percent in total dwelling units (83) and a decrease in density from 21 to 18 dwelling units per acre. Revisions in the type and number of units are as follow:

<u>Unit Type</u>	<u>Original Plan</u>	<u>Revised Plan</u>	<u>Size</u>
1 bedroom, 1 bath	182	120	850 sq.ft. av.
1 bedroom, den, 1 bath	118	106	1012 sq.ft. av.
2 bedroom, 2 bath	260	250	1185 sq.ft. av.
2 bedroom, den, 2 bath	60	60	1434 sq.ft. av.
TOTALS	620	536	1099 sq.ft. av.

Also reflected on the revised plan is a minor reduction in the ratio of total off-street parking stalls from 1.84 to 1.80 stalls per dwelling unit. Although the plan does not reflect the location and distribution of off-street parking stalls, the ratio of covered and open stalls is proposed as follows:

Covered	1.25	x	536	=	672
Open	.55	x	536	=	296
Total	1.80	x	536		968

1 1st + 2nd
1 1/2 2nd
2 3 + 4th

By comparison, the revision to the City's residential off-street parking requirements, as presently proposed, would require a maximum of 774 spaces of which 536 would be covered.

Staff Comment

It is the feeling of the Staff that the revisions as proposed constitute a major effort by the applicant to overcome objections raised previously by: (1) providing additional public vistas and windows-to-the-bay, (2) increasing the amount of publicly accessible open space, (3) eliminating the visual impact of structures along Bayside Drive, and (4) reducing traffic generation and minimizing the effects of traffic along Bayside Drive. Not specifically covered perhaps are the objections raised heretofore regarding density and the Newport Tomorrow Residential Goals Committee's report regarding future development. Toward these points, the following comments are directed:

DRACHMAN STUDY
LETTER FROM CROMLIN
TRANSCRIPT OF JAFFE

1/5/71
approx. 1/2
red.

Previous Applications and Studies

On July 18, 1963, the Planning Commission held a public hearing to consider Master Plan Amendment No. 7 - a proposal to amend the land use element of the Master Plan to show residential and commercial uses in the area bounded by East Coast Highway, Jamboree Road and Bayside Drive. This amendment was approved by Planning Commission Resolution No. 661, and subsequently was adopted by the City Council on August 26, 1963, by Resolution No. 5842.

TO:

City Council - 8.

A copy of the map of this Master Plan Amendment is attached, showing designation of different portions of the area for commercial and multiple residential development.

On December 23, 1969, the Irvine Company submitted Use Permit Application No. 1466 and a map (attached) showing existing and proposed future development for the area bounded by East Coast Highway, Jamboree Road and Bayside Drive. This application introduced the concept of Promontory Bay and the surrounding single-family residential area, together with realignment of Bayside Drive to run north of the new bay. The map also showed high-density residential development for the Promontory Point area between the realignment of Bayside Drive and East Coast Highway, together with a modest expansion of the existing Bayside Shopping Center. Subsequently the map was revised to designate the area south of the Bayside Drive realignment as Phase 1, and the balance of the area as Phase 2. Action on Phase 1 included not only Use Permit No. 1466 but also an amendment to the Master Plan of Streets and Highways regarding realignment of Bayside Drive and approval of a tentative subdivision map for property surrounding Promontory Bay. Action at this time did not include Phase 2 of the area indicated on the map accompanying Use Permit 1466.

Comparative Densities of Development

The development of Promontory Bay (UP 1466) is significantly lower than the 36 dwelling unit per acre density permitted under Master Plan Amendment No. 7. Similarly, the development of Promontory Point, as proposed, contains only 40% of the dwelling units allowable in the 1963 amendment as indicated on the following page:

24 acres 62 lots = less than 3 DU/GROSS AC

TO:

City Council - 9.

ITEM	NEWPORT BEACH LAND USE MASTER PLAN			U.P. APP. #1494	COMPARISON
	R4-B2	COH HL	TOTAL		
Permitted Use	Multi-Family Residential	Multi-Family Residential	Multi-Family Residential	Multi-Family Residential	
Minimum Land Area Required Per Unit	1500 sq.ft.	800 sq.ft.			
Maximum Density Allowed	29 Units Per Acre	54 Units Per Acre	45 Units Per Acre Average	18 Units Per Acre	27 Units Per Acre Less Than Master Plan
Prom. Pt. Site Area	10.0 AC	19.5 AC	29.5 AC	29.5 AC	
Number of Units Allowed	290 Units	1050 Units	1340 Units	536 Units	804 Units Less Than Master Plan

In addition, densities of development for several recently constructed apartment projects are shown in the following table. Information also is shown for the "Versailles on the Bluffs at Newport" project proposed by Scholz Homes on the Cagney property according to the maximum density allowable under the adopted P-C Zone.

<u>Apartment Project</u>	<u>D.U.</u>	<u>Acres</u>	<u>D.U./Acre</u>
Oakwood	715	14	49
South Bay Club	732	16±	45
Park Newport	1304	49±	27
Versailles on the Bluffs at Newport			
Area 1	710	16±	43
Area 2	431	10±	43
Promontory Point	536	30±	18

TO:

City Council - 10.

By way of comparison, the existing residential density on Balboa Island is approximately eighteen dwelling units per acre, which is identical to the maximum density requested under this use permit application. It should be noted, however, that residential construction on the Island is not static and that the density will rise as development moves toward the limits permitted under existing R-2 District regulations.

Newport Tomorrow

The following statements appear under the heading of Residential Goals in Newport Tomorrow:

"Land use limitations should encourage the expansion of single family residences, but maintain as much diversity as possible.

"Great care in land use planning should be given to the density of population.

"It is desirable to retain and encourage the 'village concept' with sub-communities having their own individual identities and characteristics.

"Open spaces, such as beaches, parks and vistas of our naturally beautiful environment, should be provided for and their development encouraged.

"Natural geographic characteristics should be emphasized and natural contour construction should be encouraged wherever possible.

"Groupings of houses with common open spaces as well as the conventional 'one house to one lot' design configuration are to be encouraged."

It is the feeling of the Staff that the proposal before the Council substantially conforms with the statements and guidelines outlined above.

Respectfully submitted,

James D. Hewicker

JAMES D. HEWICKER
Director of Community Development (Acting)

Paul Sealy - FBTR Com.

JDH/kk

Bob Laffer - City Traffic & Parking Engineer
Cal Stewart - Director of Parks, Beaches & Rec.
Joe Devlin - Director of Public Works

Letter
High Rise
Commercial
Schools

TO:

City Council - 11.

Attachments - Promontory Point:

Irvine Company Letter	April 30, 1971
Planning Commission Minutes	June 3, 1971
General Land Use Map	February 1971
Planning Commission Minutes	January 5, 1971
Irvine Company Letter	February 3, 1971
City Council Minutes	February 8, 1971
Planning Commission Letter	February 19, 1971
City Council Minutes	February 22, 1971
City Council Minutes	March 8, 1971
Letter from PB&R Director	May 21, 1971
Letter from City Attorney	May 27, 1971
Master Land Use Plan - Amendment #7	July 18, 1963
Precise Land Use Plan - UP1466	February 13, 1970
Public Works Memo	May 7, 1971
Public Works Memo	June 3, 1971
Parks, Beaches & Recreation Commission Memo	June 3, 1971
Transcript of Remarks by Robert Crommelin, Consulting Traffic Engineer for the Balboa Island Improvement Association and Robert Jaffe, City Traffic Engineer	January 5, 1971
Letter from Robert Crommelin & Assoc.	January 11, 1971
Letter from Joseph & Janet Mariscal	June 2, 1971
Letter from Mrs. Joseph A. Beek	June 9, 1971
Letter from Colonel Franklin	June 25, 1971
Letter from Alan L. Blum	July 20, 1971
Revised Site Plan	
Public Easements and Vistas Section	

July 20, 1971

Mr. Richard Leitch
Leitch, Kiyotoki & Associates
1730 West Coast Highway
Newport Beach, Calif., 92660

Dear Mr. Leitch:

I enjoyed meeting you and hearing your opinions at the Civil District meeting of Wednesday, July 14, 1971. In response to your inquiry of that evening, I have compiled the table which follows:

TABLE ONE
SIZE, PRESENT AND OPTIMAL HOUSING UNITS

<u>Area</u>	<u>Size in Acres</u>	<u>Present Units</u>	<u>Optimal Units</u>
Dalboa Island	118.99	2160*	2762
Corona del Mar Top	156.74	1850	2530
Corona del Mar Bottom	113.85	1168	1302

* Contains 49 housing units now in C-1 zoning.

All figures are our best estimates of present units as of July 1, 1971 and of "optimality", as we discussed, (i.e., if all lots, under present zoning, were to be built to maximum utility under that zone). Not being certain of your intentions for this data, I should mention that optimality may be an inflated estimate of future usage. I say this because it seems unrealistic to assume that all lots will be utilized as we have stipulated they must be for optimality to occur.

I did have some problems with measuring the areas involved in that it required certain judgments regarding the inclusion/exclusion of street areas around commercial (C-1) usages. Recall again that you had asked that areas zoned commercial be excluded from calculation of areas. In any case, I hope the measurements of the areas will be sufficiently accurate for the purposes you desire.

I have also included two "composite" zoning maps of the areas in question which, despite their patchwork and smeared quality, prove useful to you. Finally, there is a Districting Map which delineates the three areas of concern.

Mr. Richard Leitch

-2-

July 20, 1971

Again, I enjoyed making your acquaintance and hope this will help you. If you have any questions, please feel free to contact me.

Sincerely yours,

Paul P. P. Coonan

PPPC/AM

Enc1

City Clerk

Helen Herrmann

Use Permit No. 1494 - Promontory Point

At the time the above application was considered by the Planning Commission on June 3, 1971, copies of the notice of public hearing were mailed to the following:

Mr. Tom Houston
President, Balboa Island Improvement Assn.
206 Ruby Avenue
Balboa Island, CA

Mr. Allan Beek
28 Beacon Bay
Newport Beach, CA

Mr. William L. O'Bryon
Chairman Dayshores Community Assn.
2672 Circle Drive
Newport Beach, CA 92660

Mr. Tom Hyans, President
Central Newport Beach Community Association
217 - 19th Street
Newport Beach, CA 92660

Anne Thomas Lundy
Women's Civic League
111 Garnet Avenue
Balboa Island, CA

Newport Mesa Unified School District
P. O. Box 1368
Newport Beach, CA

July 14, 1971
Date

LONEL HERRING SELIM FRANKLIN
ATTORNEY AT LAW
107 E. 18th Street, Costa Mesa, California 92627
(714) 548-7111

June 25, 1971 .

Honorable Mayor and City Council
City of Newport Beach
Newport Beach, California.

Dear Sirs :

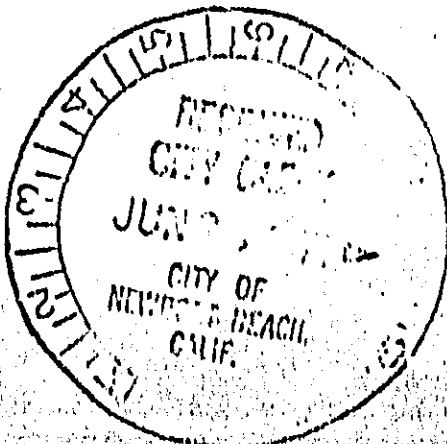
In behalf of the Balboa Island Improvement Association, Inc., the question is raised as to the validity of the City Council's action on March 8, 1971 in regards to the "Promonotory Point" matter (Use Permit Application 1494). It is our contention that the action of the City Council on February 8, 1971 could not be changed in the manner nor to the extent attempted.

We further respectfully contend that the revised application, narrowly passed by the Planning Commission meeting on June 3, 1971, is consequently ineffectual.

Respectfully yours,

Colonel Franklin

CF/hs
cc BIIA.



Date JUN 28 1971

COPIES SENT TO:

- ☐ Mayor
- ☒ Manager
- ☐ Council
- ☐ Public Works Director
- ☒ Planning Director
- ☐ Other
- ☐ Councilman

ROLL CALL

June 3, 1971

INDEX

Jakosky
Watson
Dosh
Adkinson
Brown
Glass
Martin

further that the proposed ordinance in its present form has been sent to approximately 40 homeowners' and civic associations, chambers of commerce, the Newport Harbor-Costa Mesa Board of Realtors, etc. This amendment contains several definitions which would be added to the Code for off-street parking purposes; a definition for the term "bedroom", "carport" and "garage".

The following persons spoke in opposition, some stating they had not had sufficient time to review the ordinance.

Ed Vanden Bossche of 121 - 40th Street; Thomas H. Blandi, 4109 Seashore Drive; Francis J. Horvath, 4525 Roxbury Drive, Corona del Mar; Harvey D. Pease, 304 Collins, Balboa Island; Joe Casala, 812 West Ocean Front, Balboa.

Mr. George Woods of 115 Apolena Avenue, Balboa Island spoke for the Balboa Island Improvement Assn., and stated they feel as a general rule, the proposal is desirable and no further postponement should be made. Mr. Charles Griffin of 208 Opal, Balboa Island, also spoke in favor of the proposed amendment.

Mr. Tom Hyans of the Central Newport Beach Community Association stated they received their copy on May 27th and asked that the matter be deferred until the next meeting.

Chairman Jakosky observed that it appears some of the associations have not had an opportunity to review the latest amendment to this ordinance and in all fairness to them and to the City, the item should be continued.

Motion
Second
All Ayes

x

x

The Commission concurred and the application was continued until June 17, 1971.

Item 9.

Request to permit the construction of a 536 unit apartment house complex.

Location:

Portion of Block 94, Irvine's Subdivision, located on the southwest corner of Pacific Coast Highway and Jamboree Road, north of the proposed realignment of Bayside Drive (Promontory Point).

USE
PERMIT
NO. 1494

APPROVED

ROLL CALL

June 3, 1971

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Zone: Unclassified

Applicant: The Irvine Company, Newport Beach

Owner: Same as applicant

Zoning Administrator Hewicker presented the application to the Commission and explained the difference in this application and the original use permit which was denied by the Commission on January 5, 1971, subsequently appealed, and then referred back to the Commission by the City Council.

Mr. James E. Taylor, Director of General Planning Administration for the Irvine Company addressed the Commission, introducing into the record the following documents:

1. A copy of the 1963 Master Plan for the Promontory Point area which designates this area for a combination of high density, multi-family and commercial development.
2. A copy of the Precise Land Use Plan for Use Permit Application 1466 which was considered and approved in part relative to the Promontory Bay Project.
3. A map indicating the land use that existed as of February 1971 in the general vicinity of Promontory Point.
4. A revised site plan and architectural renderings.
5. The staff report written by the Planning Department for the January 5, 1971 meeting recommending approval.
6. A copy of the traffic access and circulation study that was conducted by J.D. Drachmen, Associates, Transportation Consultants hired by The Irvine Company.
7. Transcript of the meeting of January 5, 1971 containing the complete comments of the traffic consultant Mr. Robert Crommelin, who was hired by the Balboa Island Association as well as the comments of Mr. Robert Jaffe, City Traffic Engineer.

ROLL CALL

June 3, 1971

INDEX

MARTIN
GLASS
BROWN
ADKINSON
DOSON
WATSON
JAKOSKY

8. A copy of a letter from Mr. Crommelin to the Planning Director for the City of Newport Beach clarifying a statement made at the public hearing of January 5, 1971.

9. Minutes of the Planning Commission meetings of November 5, 1970 and January 5, 1971 relative to this item.

Mr. Taylor explained the changes that had been made in the proposed development and Mr. William Watt, Director of the Multi-Family Development Section of the Irvine Company indicated these changes on a large display rendering.

There was a lengthy discussion regarding the various phases of this development including the vista corridor, vista points, the streets within the development and a park which the Irvine Company would dedicate to the City in exchange for the excise taxes which would accrue to the City for an apartment complex of this size.

Mrs. Lois Chambers of Balboa Island inquired whether the streets would be available for public use.

The following persons spoke in opposition to the proposed development:

Bill Thompson, Balboa Island
Col. Selim Herring Franklin, Balboa Island
Al Kelso, 207 N. Bayfront, Balboa Island
Allan Beek, 28 Beacon Bay
Harvey D. Pease, 304 Collins

The following persons spoke in favor of the proposed development:

Lee Henley, Clown Cleaners
John J. Elliott, Resident
E. W. Dakin, 1220 Dolphin Terrace
Karl Barnum, 2901 Cassia Street
Chick Iverson, 445 E. Coast Highway
James P. Felton, 1839 Sabrina Terrace

Mrs. Anne Thomas Lundy representing the Women's Civic League of Newport Harbor stated they had not had time to reply to the letter from the City and requested a geology report of the area.

ROLL CALL

June 3, 1971

INDEX

Motion
Second
Ayes
Noes

Jakosky
Watson
Dosh
Adkinson
Brown
Glass
Hartlin

After a further lengthy discussion, the application was approved subject to the following conditions: (A complete transcript of the hearing is on file in the Community Development Department.)

1. That action of the Planning Commission shall constitute a recommendation to the City Council, and final determination of this application shall be decided by the City Council
2. That a resubdivision and parcel map be filed, prior to issuance of building permits.
3. That utility and street improvements be constructed as required in conjunction with the resubdivision and appropriate surety and agreements provided guaranteeing completion of the improvements.
4. That private streets conform to the City Private Street Policy, with the geometric design and structural section to be approved by the Public Works Department.
5. That public vehicular access to those private streets serving the vista points be irrevocable.
6. That precise design and location of all entrances and exits to public streets shall be subject to approval by the Director of Public Works.
7. That a traffic signal and related channelization be installed at the developer's expense at the connection with Coast Highway, with the design to be approved by the Traffic Engineer.
8. If the City Engineer and the City Traffic Engineer feel that the Coast Highway entrance, as signalized, is hindering the flow of traffic in that area of the City, a grade separation shall be commenced (prior to January 1, 1974) and that on or near that date, and prior to the commencement of construction of said grade separation, that those two parties report to the Planning Commission their analysis of the situation as they have studied it.

Martin
Glass
Brown
Adkinson
Dosh
Watson
Jakosky

9. That easements providing public pedestrian and bicycle access to the development shall be provided in locations meeting the approval of the Director of Community Development, and in a manner meeting the approval of the City Attorney.
10. That detailed landscaping plans, including a watering system and schedule for installation, shall be prepared by a landscape architect and shall be subject to approval by the Director of Community Development. Said landscaping may consist of lawn, trees, shrubbery and other plant materials and shall provide for immediate erosion control and perimeter planting of the entire site. The landscaping and watering system shall be installed in accordance with the approved plan and shall be properly maintained. In the event installation of landscaping is not completed on schedule, the City of Newport Beach may require a reasonable guarantee for completion of said landscaping.
11. That landscaping adjacent to Bayside Drive be designed so that sight distance problems will not be created.
12. That all swimming pools shall be enclosed with fencing as required by the Building Code.
13. That all trash shall be stored in closed containers located within walled enclosures.
14. That all development shall comply with the requirements of the Fire Marshal.
15. That identification signs not to exceed forty square feet per face (double faced) shall be allowed at one entrance on East Coast Highway and two entrances on Bayside Drive. Final design, including copy and lighting, shall be subject to approval by the Director of Community Development.
16. That the developer shall be responsible for all precautionary actions necessary to protect the quality of the waters of Newport Harbor during grading operations, and shall prepare and submit erosion control plans and specifications designed

JAKOSKY
 WATSON
 DOSH
 ADKINSON
 BROWN
 GLASS
 MARTIN

to prevent deposition of sediment.

17. That the question of acquisition and development of the one and one-half acre park site adjoining Bayside Drive for public use shall be determined by the City Council. If the City Council decides not to acquire the park site said area shall be developed for private recreation use exclusive of a public vista and vehicular parking area. In either event, easements providing public vehicular access to the park or vista shall be provided in locations meeting the approval of the Director of Community Development and in a manner meeting the approval of the City Attorney.
18. There shall be no obstructions projecting above the south curb elevation of East Coast Highway within a triangle bounded by Jamboree Road, the easterly end of the south property line, and line projecting southwest from the intersection of East Coast Highway and Jamboree Road, at an angle to be determined by the Director of Community Development that will encompass the view of the Pavilion.
- 18(a) The main entrance shall be maintained as a view corridor with a width of between 250 and 282 feet, and no grade within that strip of land shall be above the elevation of the highway as it passes that opening.
19. That a building setback of not less than sixty feet, measured from the curb faces, be established from Jamboree Road.
20. That a beach area, available to residents of the Promontory Point apartments shall be provided at Promontory Bay (south of Bayside Drive). A legal description defining said area shall be submitted to the Director of Community Development and made a part of this application.
21. That the design and improvement of all recreation and view areas, both public and private, shall be subject to the review and approval of the Director of Parks, Beaches and Recreation.

CITY OF NEWPORT BEACH
PARKS, BEACHES AND RECREATION COMMISSION

June 3, 1971

TO: MAYOR AND CITY COUNCIL

FROM: PB & R Commission

SUBJECT: USE PERMIT #1494 (PROMONTORY POINT)

RECOMMENDATION:

After extensive meetings and discussions on the proposed development of Promontory Point, the Parks, Beaches and Recreation Commission makes the following recommendations:

1. That the project be approved as amended, including pedestrian and bicycle traffic to various viewpoints as outlined in the plan.
2. That the City Council negotiate with The Irvine Company to acquire a 1½-acre parcel of land to be developed for public park purposes.

DISCUSSION:

During the past several months the PB & R Commission has made several requests to The Irvine Company for certain public facilities to be incorporated in the plan for the development of Promontory Point. The Irvine Company has gone to great lengths to incorporate these requests, and it is felt that they have sincerely attempted to incorporate all of the thoughts that the Commissioners had previously projected.

They have also made available for City purchase a parcel of land in the amount of 1½ acres that will be reserved for park purposes, should the City decide to acquire that parcel. The Commissioners feel convinced that this park will serve a recreational need of the children from Balboa Island and Beacon Bay, as well as those who live within the Promontory Bay and Promontory Point areas.

If the land is not acquired by the City and developed as a public park, The Irvine Company has indicated that the area will remain open, but will be developed and maintained as a private park for residents within the Promontory Point development.

In making this recommendation the Commissioners weighed the high cost of this particular land against other park developments but, after consideration, felt that it would be a justifiable expenditure because of the absence of park land in this particular area. It is also felt that if park land is not acquired at this time, it will be lost to the public forever.

James L. Rubel, Jr.
JAMES L. RUBEL, JR., CHAIRMAN

JLR:CCS:h

cc: Planning Commission

June 3, 1971

TO: COMMUNITY DEVELOPMENT DEPARTMENT
FROM: Public Works Department
SUBJECT: USE PERMIT 1494, PROMONTORY POINT; COAST HIGHWAY INTERSECTION

Analysis of Coast Highway traffic operations near Promontory Point indicates the real control on highway capacity to be at Bayside Drive and Jamboree Road. Adding a properly designed signal between these intersections, to serve Promontory traffic, would not bring about a further significant decrease in overall highway capacity. On the other hand, with no signal control, most drivers would make their left turns at Bayside and Jamboree during heavy traffic, taking green time away from the already congested highway; in fact, causing the very decrease in highway capacity which might incorrectly be attributed to the proposed additional signal.

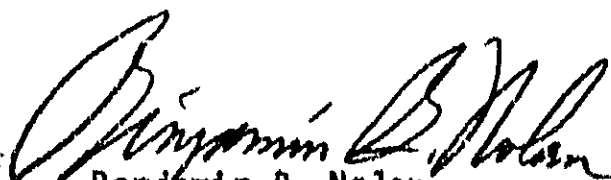
We cannot justify the need for grade separation at this location on the basis of traffic operation. Rather it belongs in the "nice-to-have" category. The cost does not appear commensurate with the need. If funds were available for such a project, they might be more properly spent to improve more severe conditions at other locations on the highway.

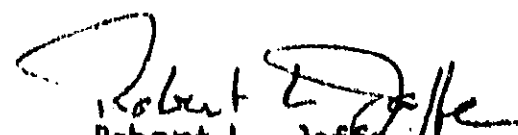
Because the suggested grade separation structure would affect the Dunes property, a County park, the State environmental quality laws would likely require certification by the State, the County, and the City that no substantial adverse environmental effects would result from the construction.

Then, with the certifications obtained, a Division of Highways encroachment permit would be required. Issuance of this permit would in turn be subject to Highway Commission approval because this would still be a crossing of an adopted freeway route. Six months or more would pass before the State could resolve the permit request.

Because no federal funds would be involved, there is a bright note here. Public hearings would not be required as in the case of some other projects for which up to two years would be needed to satisfy all the rules.

One sour note must be the fact that if the public agencies involved could not all agree to certify satisfaction with the environmental conditions, the Division of Highways could not be expected to issue approval for the project.


Benjamin B. Nolan
City Engineer


Robert L. Jaffe
Traffic Engineer

RLJ/bg

CITY OF NEWPORT BEACH

June 2, 1971

TO: Planning Commission
FROM: Community Development Department
SUBJECT: Use Permit Application No. 1494 (Revised)

Request to permit construction of a 536 unit apartment house complex.

LOCATION: Portion of Block 94, Irvine's Subdivision located on the southwest corner of Pacific Coast Highway and Jamboree Road, north of the proposed realignment of Bayside Drive (Promontory Point).

ZONE: Unclassified

APPLICANT: The Irvine Company, Newport Beach

OWNER: Same as applicant.

Description

This proposed 536 unit apartment project would occupy a 29.55 acre site bounded by Pacific Coast Highway on the north, Jamboree Road on the east, the Chick Iverson Volkswagen Agency on the west and the proposed realignment of Bayside Drive on the south, except for that area occupied by the Bayside Shopping Center. In addition, this application also includes a parcel containing approximately .3 acres on the southerly side of Bayside Drive (realigned) proposed for private beach use.

Previous Actions

Use Permit Application No. 1494 proposing the development of 620 units on this site was considered by the Planning Commission on November 5, 1970, December 3, 1970 and denied by a 4-2 vote on January 5, 1971. The action of the Planning Commission was subsequently appealed by the applicant. The appeal was considered by the City Council on February 8, 1971 and on March 8, 1971 when action was taken to return the application to the Planning Commission for modifications by the applicant and reconsideration. The following documents are attached for your review and information:

Planning Commission Minutes	- January 5, 1971
Irvine Company letter	- February 3, 1971
City Council Minutes	- February 8, 1971
City Council Minutes	- March 8, 1971

Revised Application

On April 30, 1971 the Irvine Company submitted a revised site plan, sections and statistical information incorporating the following major changes:

1. A shift in the location of dwelling units east of the Coast Highway entrance to provide a vista corridor 282 feet in width thru the center of the project. This is proposed in addition to the vista sites and the pedestrian and bicycle linkages located above the Bayside Shopping Center, above the Volkswagen Agency and in front of the recreation center.
2. A park of approximately one and one half acres in size on the north side of Bayside Drive west of the shopping center for either public or private recreational use. This is proposed in addition to the internal recreation facilities and private beach intended to serve the needs of the residents.
3. The replacement of all dwelling units and three drive-ways on Bayside Drive with a landscaped bluff having a minimum depth of 30 feet and a minimum height of 6 feet.

Additional changes include a reduction of approximately fourteen percent in total dwelling units (84) and a decrease in density from 21 to 18 dwelling units per acre. Revisions in the type and number of units are as follows:

<u>Unit Type</u>	<u>Original Plan</u>	<u>Revised Plan</u>	<u>Size</u>
1 bedroom 1 bath	182	120	850 sq.ft. av.
1 bedroom, den, 1 bath	118	106	1012 sq.ft. av.
2 bedroom 2 bath	260	250	1185 sq.ft. av.
2 bedroom, den, 2 bath	<u>60</u>	<u>60</u>	<u>1434 sq.ft. av.</u>
Totals	620	536	1099 sq.ft. av.

Also reflected on the revised plan is a minor reduction in the ratio of total off-street parking stalls from 1.84 to 1.80 stalls per dwelling unit. Although the plan does not reflect the location and distribution of off-street parking stalls the ratio of covered and open stalls is proposed as follows:

Covered	1.25	x	536	=	670
Open	<u>.55</u>	x	536	=	<u>295</u>
Total	1.80	x	536	=	965

By comparison, the revision to the City's residential off-street parking requirements as presently proposed would require a maximum of 923 spaces of which 536 would be covered.

TO: Planning Commission - 3.

Staff Comment

It is the feeling of the staff that the revisions as proposed constitute a major effort by the applicant to overcome objections raised previously by: (1) providing additional public vistas and windows to the bay, (2) increasing the amount of publicly accessible open space, (3) eliminating the visual impact of structures along Bayside Drive, and (4) reducing traffic generation and minimizing the effects of traffic along Bayside Drive. Not specifically covered perhaps are the objections raised heretofore regarding density and the Newport Tomorrow Residential Goals Committee's report regarding future development. Toward these points the following comments are directed:

Previous Applications and Studies

On July 18, 1963, the Planning Commission held a public hearing to consider Master Plan Amendment No. 7 - a proposal to amend the land use element of the Master Plan to show residential and commercial uses in the area bounded by East Coast Highway, Jamboree Road and Bayside Drive. This amendment was approved by Planning Commission Resolution No. 661, and subsequently was adopted by the City Council on August 26, 1963, by Resolution No. 5842.

A copy of the map of this Master Plan Amendment is attached, showing designation of different portions of the area for commercial and multiple residential development.

On December 23, 1969, the Irvine Company submitted Use Permit Application No. 1466 and a map showing existing and proposed future development for the area bounded by East Coast Highway, Jamboree Road and Bayside Drive. This application introduced the concept of Promontory Bay and the surrounding single-family residential area, together with realignment of Bayside Drive to run north of the new bay. The map also showed high-density residential development for the Promontory Point area between the realignment of Bayside Drive and East Coast Highway, together with a modest expansion of the existing Bayside Shopping Center. Subsequently the map was revised to designate the area south of the Bayside Drive realignment as Phase 1, and the balance of the area as Phase 2. Action on Phase 1 included not only Use Permit 1466 but also an amendment to the Master Plan of Streets and Highways regarding realignment of Bayside Drive and approval of a tentative subdivision map for property surrounding Promontory Bay. Action at this time did not include Phase 2 of the area indicated on the map accompanying Use Permit 1466.

Comparative Densities of Development

Density of development contemplated under Use Permit 1466 for the entire area comprising Promontory Bay and Promontory Point was significantly lower than the maximum density previously contemplated under Master Plan Amendment No. 7, and the actual plan of development proposed under Use Permit Application 1494 is again lower than the maximum which might be anticipated under the term "high density residential".

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Densities of development for several recently constructed apartment projects are shown in the following table. Information also is shown for the "Versailles on the Bluffs at Newport" project proposed by Scholz Homes on the Cagney property according to the maximum density allowable under the adopted P-C Zone.

<u>Apartment Project</u>	<u>D.U.</u>	<u>Acres</u>	<u>D.U./Acre</u>
Oakwood	715	14	49
South Bay Club	732	16±	45
Park Newport	1,304	49+	27
Versailles on the Bluffs at Newport			
Area 1.	710	16+	43
Area 2.	431	10+	43
Promontory Point	536	30±	18

By way of comparison, the maximum density of development presently permitted on Balboa Island under the R-2 Zone would be approximately 25.8 dwelling units per gross acre, including the area of north-south cross streets and alleys.

In addition, it should be noted that while a density of 18 dwelling units per acre is not associated with single family use, studies presently underway by the Department of Community Development indicate that this intensity of development forms the upper limits of the medium density classification (8-18 DU/AC) which is found in such areas as Linda Isle, Bayshores and Lido Isle.

Newport Tomorrow

The following statements appear under the heading of Residential Goals in Newport Tomorrow:

"Land use limitations should encourage the expansion of single family residences, but maintain as much diversity as possible".

"Great care in land use planning should be given to the density of population".

"It is desirable to retain and encourage the 'village concept' with sub-communities having their own individual identities and characteristics".

"Open spaces, such as beaches, parks and vistas of our naturally beautiful environment, should be provided for

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and their development encouraged".

"Natural geographic characteristics should be emphasized and natural contour construction should be encouraged wherever possible.

"Groupings of houses with common open spaces as well as the conventional 'one house to one lot' design configuration are to be encouraged".

It is the feeling of the staff that the proposal before the Commission substantially conforms with the statements and guidelines outlined above.

Staff Recommendation

It is recommended that Use Permit Application No. 1494, as revised, be approved subject to the following conditions:

1. That action of the Planning Commission shall constitute a recommendation to the City Council, and final determination of this application shall be decided by the City Council.
2. That a resubdivision and parcel map be filed, prior to issuance of building permits.
3. That utility and street improvements be constructed as required in conjunction with the resubdivision and appropriate surety and agreements provided guaranteeing completion of the improvements.
4. That private streets conform to the City Private Street Policy, with the geometric design and structural section to be approved by the Public Works Department.
5. That public ^{vehicular} access to these private streets be irrevocable. *See map into points*
6. That precise design and location of all entrances and exits to public streets shall be subject to approval by the Director of Public Works.
7. That a traffic signal and related channelization be installed at the developer's expense at the connection with Coast Highway, with the design to be approved by the Traffic Engineer.
8. A grade separation be commenced prior to January 1, 1973.
9. That easements providing public pedestrian and bicycle access to the development shall be provided in locations meeting the approval of the Director of Community Development, and in a manner meeting the approval of the City Attorney.

if when to Jan 1, 1973 this City by ...

TO: Planning Commission - 6.

10. That detailed landscaping plans, including a watering system and schedule for installation, shall be prepared by a landscape architect and shall be subject to approval by the Director of Community Development. Said landscaping may consist of lawn, trees, shrubbery and other plant materials and shall provide for immediate erosion control and perimeter planting of the entire site. The landscaping and watering system shall be installed in accordance with the approved plan and shall be properly maintained. In the event installation of landscaping is not completed on schedule, the City of Newport Beach may require a reasonable guarantee for completion of said landscaping.
11. That landscaping adjacent to Bayside Drive be designed so that sight distance problems will not be created.
12. That all swimming pools shall be enclosed with fencing as required by the Building Code.
13. That all trash shall be stored in closed containers located within walled enclosures.
14. That all development shall comply with the requirements of the Fire Marshall.
15. That identification signs not to exceed ^{Two} forty square feet per face (double faced) shall be allowed at one entrance on East Coast Highway and ~~three~~ entrances on Bayside Drive. Final design, including copy and lighting, shall be subject to approval by the Director of Community Development.
16. That the developer shall be responsible for all precautionary actions necessary to protect the quality of the waters of Newport Harbor during grading operations, and shall prepare and submit erosion control plans and specifications designed to prevent deposition of sediment.
17. That the question of acquisition and development of the one and one-half acre park site adjoining Bayside Drive for public use shall be determined by the City Council. If the City Council decides not to acquire the park site said area shall be developed for private recreation use exclusive of a public vista and vehicular parking area. In either event, easements providing public vehicular access to the park shall be provided in locations meeting the approval of the Director of Community Development and in a manner meeting the approval of the City Attorney.
18. There shall be no obstructions projecting above the south curb elevation of East Coast Highway within a triangle bounded by Jamboree Road, the easterly end of the south property line, and a line projecting southwest from the

TO: Planning Commission - 7.

Whinlow sub. 250 to 282

- 18a
19. Intersection of East Coast Highway and Jamboree Road, at an angle to be determined by the Director of Community Development that will encompass the view of the Pavilion. *Within the 282 v.s. area no grade shall exceed that of curb*
19. That a building setback of not less than sixty feet, measured from the curb faces, be established from Jamboree Road.
20. That a beach area, available to residents of the Promontory Point apartments shall be provided at Promontory Bay (south of Bayside Drive). A legal description defining said area shall be submitted to the Director of Community Development and made a part of this application.
21. That the design and improvement of all recreation and view areas, both public and private, shall be subject to the review and approval of the Director of Parks, Beaches and Recreation.
22. That either a pedestrian overcrossing or a fully-actuated pedestrian signal be provided by the developer on Bayside Drive at the beach-marina location, with the design of such a signal to be as approved by the City Traffic Engineer.
23. That a plan showing the location and distribution of all off-street parking spaces shall be submitted to and approved by the Director of Community Development.
24. That all parking spaces shall conform to City standards, and perpendicular parking spaces abutting a property line or structure shall be provided with wheel stops. All driveways and off-street parking areas shall be paved, and parking spaces shall be properly delineated.
25. That all open and carport parking spaces adjacent to Coast Highway shall be screened with plant materials.
26. That all lights shall be shielded or directed so as to confine direct rays to the subject property.
27. That consideration be given to providing vehicular access to the shopping center parking area from the easterly entrance to the development on Bayside Drive.
28. That the developer shall submit an amended Site Plan for presentation to the City Council, incorporating the foregoing conditions of approval. The Director of Community Development shall be responsible for determining that all construction and development is in substantial conformance to the amended Site Plan and other conditions of approval.

TO: Planning Commission - 8.

Respectfully submitted,

James D. Hewicker

James D. Hewicker
Zoning Administrator

JDH:hh

- Attachments:
1. Irvine Co. Letter of April 30, 1971
 2. Revised Site Plan
 3. Sections
 4. Amended Site Plan showing revisions
 5. Original Site Plan showing public easements and vista points.
 6. Master Plan Amendment No. 7
 7. Proposed Densities Promontory Point and Bay
 8. Memo from City Attorney - May 27, 1971
 9. Memo from Public Works - May 7, 1971
 10. City Council Minutes - March 8, 1971
 11. City Council Minutes - February 8, 1971
 12. Irvine Company Letter February 3, 1971
 13. Letter from Robert Crommelin & Asso. - Jan. 11, 1971
 14. Planning Commission Minutes - January 5, 1971

USE PERMIT APPLICATION NO. 1494 (REVISED)PROMONTORY POINTVERBATIM TRANSCRIPT OF MEETING JUNE 3, 1971

Jakosky: The next item on the agenda is Use Permit Application No. 1494, an application by the Irvine Company.

Hewicker: Mr. Chairman, this is a request to permit the construction of a 536 unit apartment house complex on a Portion of Block 94 of Irvine's Subdivision located on the southwest corner of Pacific Coast Highway and Jamboree Road, north of the proposed realignment of Bayside Drive, more commonly referred to as "Promontory Point". The zone is unclassified, the applicant and the owner are the Irvine Company. This is a 536 unit apartment project which would occupy 29.55 acres on a site bounded by Pacific Coast Highway on the north, Jamboree Road on the east, the Chick Iverson Porsche VW Agency on the west and the proposed realignment of Bayside Drive on the south. It also includes another parcel of ground approximately .03 of an acre in size on the southerly side of Bayside Drive, realigned, which is proposed for private beach purposes. This application is an amended application; the Planning Commission has previously held several hearings on Use Permit Application No. 1494 when it was proposed to contain 620 dwelling units. We have attached to the staff report copies of the Planning Commission Minutes of January 5, 1971 at which time the Commission took action to deny the 620 unit complex. We have forwarded to you a copy of the letter from the Irvine Company dated February 3, 1971 which was a part of the appeal procedures, and we have forwarded to you copies of the Council Minutes from the meetings of February 8, 1971 and March 8, 1971 which contains the action taken by the City Council on this request. Since the Planning Commission has last considered the development of Promontory Point, the Irvine Company has reevaluated the apartment complex and the plot plans and the application which you have before you this evening, we feel are substantially changed from the last plot plans which were before you. We state in the staff report three major areas where we feel improvements have been made. These are a shift in the location of dwelling units east of Coast Highway entrance to provide a "vista corridor" 282 feet in width through the center of the project and this is proposed in addition to the vista sites and the pedestrian bicycle linkages located above the Bayside Shopping Center above the automobile agency and in front of the recreation center, all of which were contained on the previous plans. They are also providing a park of approximately one and one-half acres in size on the north side of Bayside Drive, west of the shopping center, which could be used for either public or private recreational use. If it is to be used for public use, it is the intent of the Irvine Company to dedicate that land to the City in exchange for the excise taxes which would normally accrue to the City for an apartment complex of this size. It was estimated, I believe, that the excise taxes on this project would bring in a range of approximately \$85,000; the figures that have been provided by the Irvine Company on the value of the land for park purposes are in the neighborhood of, I believe, around \$130,000. The third major change was the replacement of all dwelling units and the 3 driveways on Bayside Drive with a landscaped bluff having a minimum depth of 30 feet and a minimum height of 6 feet. On the magnetic board behind the Commission we have posted copies of not only the plot plan which was before the Commission several months ago, but the revised plot plan before you this evening. The top plan would be that which was before you several months ago and we have outlined in red those major changes which are reflected on the other plot plan which is directly below it. We have outlined all the units which are now proposed to be deleted on Bayside Drive; we have noted the

other buildings which have been deleted and the major shift in one of the large apartment structures to the east providing the vista point through the project from Coast Highway. On the plot plan below, we have colored in shades of green the one and one-half acre parcel which would be proposed as a park; this would actually contain a level area - there have been several ideas as to how this could be developed but the one idea which would leave the most level area would provide approximately 37,000 sq. ft. of level open space which is actually too small to be used for a lot of organized sports activities but which could be used for small free play and various types of "C" class baseball and these types of uses. We have also indicated on the plot plan the additional four vista points which would be available to the public via pedestrian and bicycle linkages, one to the east of the Bayside Shopping Center adjoining Jamboree Road; coming to the west a proposed vista point and parking facility which would be located above the park; another vista point in the vicinity of the tennis courts, which are a private recreational facility; and then a fourth vista point above the automobile agency on the westerly edge of the plan. Another change in the development plan which we have not really classified as a major change, but certainly is worth mentioning is the fact that The Irvine Company now has deleted 84 dwelling units from the plot plan. This is a decrease in density of approximately 14% and drops the dwelling unit per acre count from 21 to 18 dwelling units per acre. We have provided in the staff report the "mix", the number of units by size, number of bedrooms, baths, etc., average square footages and we have also indicated the number of parking spaces that would be provided on this particular revision. On the last plan that was before the Planning Commission there was a ratio of approximately 1.84 parking spaces for each dwelling unit. This has been decreased very slightly to 1.80 and based on an average of 1 1/4 spaces, covered, per unit and .55 spaces open per unit, there would be provided a total of 965 spaces on this development. If we take the same parking ordinance which was the subject of the previous hearing, and I haven't had a chance to actually look at the floor plans of these particular units, but I am assuming that the den, etc., would be of a size and location that would count as a bedroom; that under the parking ordinance before the Planning Commission this evening, it would be 923 spaces, 536 of which would be covered, so actually the parking ratio as proposed on the amended plot plan exceeds that which the Planning Commission has under consideration at the present time. We feel that the revisions as proposed constitute a major effort by the applicant to overcome objections raised previously by providing additional public vistas and windows to the bay, by increasing the amount public access, publicly accessible open space, by eliminating the visual impact of structures along Bayside Drive, which heretofore existed, and by reducing the traffic congestion and minimizing the effects of traffic along Bayside Drive and we have attached to your report a copy of the staff report from the Director of Public Works in regard to this. We also note in the staff report the previous applications and studies which have been before the Commission as far as various amendments to the General Plan and the Promontory Bay development which was considered by the Planning Commission and the City Council. We also note on Page 4 of the staff report some comparable densities in the way of apartment projects which have been built in the City - Oakwood, having a dwelling unit density of approximately 49 units per acre; The South Bay Club - 45; Park Newport - 27; Versailles on the Bluffs - 43 and the proposed Promontory Point of 18. I would make a correction to the staff report on the item regarding the study that is currently under way by the Department of Community Development regarding other densities regarding properties surrounding this site. We indicate that the proposed Promontory Point project would fall in the same general scale, but it's at the top end of the range, for the densities found to exist

on Linda Isle, Bayshores and Lido Isle. Actually, there was a misunderstanding as to how these densities were figured, whether they were gross or net and actually, the Promontory Point project would fall in the next higher bracket, above the Linda Isle, Bayshore and Lido Isle areas. With respect to Newport Tomorrow the "Residential Goals" section, we have cited in the staff report and quoted various excerpts which state "Land use limitations should encourage the expansion of single family residences, but maintain as much diversity as possible". I'm sure that doesn't - is not intended to say that every residential development in the City of Newport Beach has to be of a single family nature, but rather that we should have a diversity of housing types and densities.

"Great care in land use planning should be given to the density of population". It is the opinion of the staff this does represent care.

"It is desirable to retain and encourage the 'village concept' with sub-communities having their own individual identities and characteristics". I think actually Newport Beach is a City, but is a City made up of many sub-communities and community associations. As I indicated earlier, when we send out announcements, etc. to . . . civic associations, homeowner's associations, I believe we are reaching a wide population of the City of Newport Beach.

"Open spaces, such as beaches, parks and vistas of our naturally beautiful environment, should be provided for and their development encouraged". This does provide a small beach area for the residents of Promontory Point but it also provides 4 vista points which will be available to the public; one perhaps by vehicular access and the other three by pedestrian and bicycle trails.

"Natural geographic characteristics should be emphasized and natural contour construction should be encouraged wherever possible". I would think that the elimination of the units along Bayside Drive and the ones along the face of the bluff would tend to indicate that the applicant is trying to, at least, maintain part of a natural terrain.

"Groupings of houses with common open spaces as well as the conventional 'one house to one lot' design configuration are to be encouraged". This is only a one lot subdivision but it certainly has common open spaces.

Staff recommends approval of this use permit subject to the 28 conditions that are stated in the staff report. If it is the wish of the Commission, I can read all 28 conditions; if not I will stop at this point, however, before I do, I would point out that we have received an item of correspondence from Joseph F. Mariscal and Janet Mariscal on Balboa Island, a copy of which has been forwarded to the Commission. You have received a report from the Public Works Department signed by the City Engineer and the Traffic Engineer with respect to overcrossings and you have received this evening a memo from the Chairman of the Parks, Beaches and Recreation Commission addressed to the Mayor and the City Council from the P.B.R. Commission which states: "That after extensive meetings and discussions on the proposed development of Promontory Point, the Parks, Beaches and Recreation Commission makes the following recommendations:

1. That the project be approved as amended, including pedestrian and bicycle traffic to various view points as outlined in the plan; and
2. That the City Council negotiate with the Irvine Company to acquire a 1½ acre parcel of land to be developed for public park purposes.

Those are the conclusions of my remarks, Mr. Chairman, if the Commission has any questions.

Jakosky: Thank you, Jim. Is someone here representing the applicant?

Taylor: Mr. Chairman, members of the Commission. For the record, my name is Jim Taylor, I'm Director of General Planning Administration for the Irvine Company. Mr. Hewicker has certainly done a fine job in outlining the changes that have been made to the plan by the Irvine Company. Much has transpired since the meeting on January 5th at which the Commission by a 4 to 2 vote denied the original application for 612 units at Promontory Point. I think to sort of bring us up to speed on some of the other items, however, that still apply to this project I would like to very briefly introduce some documents for your record that were presented to you before and that you may wish to make reference to during the course of the proceedings this evening. The first item I would like to introduce is a copy of your 1963 Master Plan for the Promontory Point area which designates this area for a combination of high density, multi-family and commercial development. The second item to be introduced is a copy of the Precise Land Use Plan for Use Permit Application 1466 which was considered as approved in part by this Commission relative to the Promontory Bay project. The land use that was shown on the upper portion for multi-family was not approved by this Commission, however, it was an indication by the Irvine Company as to what our proposal was and there was no action taken by the City to amend your 1963 Master Plan. Also, I would like to introduce a map indicating the land use that existed as of February 1971 in the general vicinity of Promontory Point which is amply demonstrated by the colored map that was shown earlier indicating the wide variety of land uses that are in the immediately adjacent area to include commercial, multi-family, single-family and recreational commercial activities. The next item is revised site plan and architectural renderings which need no further comment. I would also like to submit to you the staff report that was written by the Planning Department for your January 5th meeting which was very comprehensive relative to this application and which recommended approval of the project. Also included in our exhibits are a copy of the traffic access and circulation study that was conducted by J. D. Drachman, Associates, Transportation Consultants hired by the Irvine Company to examine the impact of this particular project on the traffic in the immediate area. You will recall that the conclusions of the traffic consultant were that the project as originally proposed would not affect the traffic in the Balboa Island area nor on Pacific Coast Highway. The next item to be introduced are transcripts of the meeting of January 5, 1971 containing the complete comments of the traffic consultant, Mr. Robert Crommelin, who was hired by the Balboa Island Association and the City Traffic Engineer, Mr. Robert Jaffee in which the traffic consultants concluded that the findings of Mr. Drachman were, in their opinions, accurate and of professional quality. Further, there is a copy of a letter from Mr. Crommelin to the Planning Director for the City of Newport Beach clarifying a statement made at that public hearing of January 5th in which he had responded to the fact that if you reduce density did you correspondingly reduce the number of automobiles and in the letter to the Planning Director he clarified that statement by stating that simply reducing the number of units without analyzing what you do with bedrooms, does not necessarily mean that you will have less traffic. He indicated specifically that single-family homes of a high cost and many bedrooms would perhaps produce more automobiles thereby not necessarily meaning that by cutting the density in half by single family homes would result in half as many cars on the property. And the final item to be introduced are Minutes of the Planning Commission meeting of November 5, 1970 and January 5, 1971 relative to this item. I introduce these to have these items available should anyone in the audience or the Planning Commission

desire to discuss these particular statements that were made at the previous meetings. The direction of my presentation will simply be to very quickly refer to the amendments that were made to the plan and why we made them and avail ourselves to answer any questions that you have regarding these amendments. At the conclusion I would like to make comments on 3 conditions that are contained in the staff report and then reserve perhaps 5 minutes at the conclusion of the public hearing to summarize what our position is relative to this new request. I think that the public hearings that occurred earlier this year indicated to us some very specific areas of conflict that we have tried to resolve in this amended site plan. Obviously the reduction in densities is one which permeated all the other public hearings; the people from the Balboa Island area were concerned with the impact of the number of people by this project on their particular development; the density has been reduced as stated in your staff report from 21 d/u to 18, this was accomplished by the removal of those units on Bayside Drive. That also has a residual benefit in that, if you will recall, those units on Bayside Drive did have access and parking directly off of Bayside. Therefore, by removing these units, we have removed some traffic movement on Bayside Drive. The main thrust of automobile traffic taking ingress and egress off of the site are much now oriented toward Pacific Coast Highway. The bay vista is, perhaps, one of the most significant changes we have made and we were quite pleased to see the strong position that was taken by the P.B. & R. Commission relative to this issue. They have indicated to the Planning Commission and City Council for quite a lengthy period of time their desire to see a vista of significant import in this particular area. The shifting of the large horse shoe shaped unit to the east creating this 282 foot wide corridor will provide, we think, a substantial view through the property for the motorist passing on Pacific Coast Highway; the grade at that point is at the same level as Pacific Coast Highway and will gently slope to the toe of the bluff and will drop more abruptly away so that the view will be unencumbered through adequate controls of landscaping. In conjunction with that vista point, we have provided a destination for the public in terms of the vista look out with parking for the public; this means that the public can come on to the property, park in designated parking spaces, get out, and take advantage of the view of the new lagoon, the lower bay, Balboa Peninsula and the Pacific Ocean. The park site is a residual benefit of the removal of the units along Bayside Drive. We talked to the P.B. & R. Commission about this and stated that we basically had two positions to take on the park. No. 1 - The City had indicated to us that perhaps they would be interested in a public park site at Promontory Point; the one and one-half acres now provides the City to make that determination as to whether or not they wish to acquire a public park site at this location. Should they choose not to do so, we are prepared to leave this site in an open condition and to provide as we see fit additional recreational amenities of a private nature for the project itself. There is the opportunity to leave it as an open area or to perhaps as we see indications that additional tennis facilities or other such facilities are necessary, to incorporate these into the private recreation facilities. As far as traffic, we feel very strongly that the comments of the three traffic consultants certainly are enhanced by the proposed development in that the reduction of units certainly will limit even further automobiles in this particular area. In addition to the new amendments that have been submitted, all those that were included on the original plan are still very much a part of this particular proposal. These included the three vista points at the east, west and the central portion of the project, the irrevocable public easements for pedestrians and bicycle paths proposed as a part of the original use permit which will allow the public to come on to the site, either on foot or bicycle, go to these vista points which will be developed and maintained by the Irvine Company at no expense to the public. The private beach for the occupants of the apartment project and the 61 single family

lots that comprise Promontory Bay is still a part of this project; that beach site is the same size approximately as the private beach in the Bayshores development - you are familiar with that particular private beach. In conjunction with these items are the on-site private recreational facilities which include three swimming pools, three therapeutic pools, shuffle board courts, three tennis courts, a sand volley ball court and the open green turf areas and landscaping that is associated with the project. We were very pleased to see that again the staff took a position of recommending approval and I think it was interesting to note the analogy that was made to the various other apartment projects which this Commission has approved. We are very happy to see that the two lowest densities for apartment projects that have been approved are projects that were proposed by the Irvine Company. Also, we were very pleased to see that there was reference made to the various goals and objectives that were contained in the Newport Tomorrow report. We have often heard that these goals are actually in opposition to what is proposed by this particular project. We have never felt that this was the case and we are very happy to see that the staff supported us in that position. We have always indicated to you that our goal is to provide housing units to meet the full spectrum of the housing market. This does not only include the person that can afford single family homes in a view condition but to provide shelter and dwellings for those people who wish to have the same amenities but perhaps cannot afford or do not desire to have a single family home. I think that basically covers the work that has transpired since January relative to this new site plan. Your staff has very thoroughly covered the implications of what these amendments mean and before I ask some questions of the Staff and the Commission relative to the conditions contained in the report, I would now make myself available to answer any questions that you have regarding the amended site plan.

Jakosky: Does the Commission have any questions from Mr. Taylor or the Staff.

Martin: I have one quick one.

Jakosky: Bill.

Martin: Briefly he explained what the elevation 3/10th of an acre views would be where connected to the strip vista park. I was not at the last presentation so I am not familiar with the strip vista park behind the Safeway.

Taylor: What is the elevation of it?

Martin: Yes, down more on the . . . elevation . . .

Taylor: It begins to slope down, however it is above any structure in front of it and has a clear unencumbered view of the entire bay area.

Martin: All right . . . will it also be below the level of the loop road or whatever it is . . .

Taylor: It will be slightly below it but basically on somewhat the same elevation.

Martin: . . . slightly below the face of the bluff?

Taylor: It goes right up to the foot of the bluff and then it drops off sharply but the 3/10th acre site is a relatively flat area that provides an unencumbered view of the bay area.

Martin: Taking access from Jamboree?

Taylor: No, it would be taking access from the loop road. There is no access on to Jamboree.

Jakosky: Nor will there be any access on the bay side down.

Taylor: Well the access points that are on Bayside are the two main entry points - one at the extreme westerly limit of the property and the other access point adjacent to the shopping center. Those are the only two access points on to Bayside Drive for vehicular traffic.

Wilson: Mr. Chairman, in the event that you have any questions on the relationship of the features of this project to the citywide parks, beaches and recreation program, Mr. Calvin Stewart, Director of Parks, Beaches and Recreation is here.

Jakosky: Thank you.

Watson: Jim, I wonder if you would review for me how indeed the Balboa Island children and some of the complexes nearby might get to the park that is mentioned - the 1.2 acres or what have you.

Taylor: How they would get to the park?

Watson: Right . . . I think that's essential. I think we always wonder how and where small children . . . and what the access will be and what kind of traffic they might be confronted with and so on.

Taylor: Well first of all they have the unfortunate condition of having to cross the bridge to Balboa Island - but once they survive that (laughter) they then have the opportunity to come down in front of the area where the Villa Marina formerly was and is now vacant and once they reach a point basically at the westerly end of the existing shopping center, Bayside Shopping Center, the plans for the Promontory Bay development show a public walkway of a very large or expanded nature to accommodate both pedestrians and bicyclists to that point. We have also shown in conjunction with the proposed beach location a pedestrian crossing at the beach. However, the best way to the park would be to cross the street at the intersection of Marine and Bayside Drive and go through the shopping center which will then lead directly to this particular park. There will be a stop sign with crosswalk at the access road on the easterly end of the project at which they could cross directly to the park should the city so desire to make that a park. If they were to walk along the southerly side, the only problem would be that they would have to cross down from the park and then walk back to it so I would say the best access to it would be to cross the street at the Marine - Bayside intersection, go through the shopping center directly to the park. Thank you.

Glass: Jim in the previous scheme . . . the frontage road along the highway crossing the entrance road from the highway on a bridge. Now you say the elevation of the highway is the same as the elevation of the view strip of land through the property. What happened to that . . . how was that bridge going to work before if they are the same elevation.

Taylor: The bridge at that point was necessary because the points of ingress into the highway were slightly depressed. We had to provide storage for automobiles coming out of the property making a left hand turn so the actual access road was somewhat longer and to make the grade, then back up to the apartment level required bridging over the access road at that point would be necessary.

Glass: Are you proposing now that you cut sort of a swath through there?

Taylor: It will be a lowering in that particular area - yes - the apartments - you will begin to go back up to a higher grade on either side.

Glass: Would the entire 282 feet be kept down to the elevation of the highway at that point?

Taylor: Basically, the full area between the two service roads that lead back up to the apartments would be at a level that would be commensurate with the grade level of Pacific Coast Highway.

Glass: How wide is that area?

Taylor: Mr. Watt has the exact dimensions on that particular subject and could probably explain it to you much better than I could.

Watt: (Indicating on map) This is the low point here; there would have to be a transition made between this point up here and the low point down here - we don't have the precise grade set on here but this would be coming down and this would be going back up at pretty much the same grade as this road and then as you came around you would start ramping up; precisely what the grade would be in this area I can't say because we haven't taken the design that far.

Jakosky: I would appear, Mr. Watt, that the view from the intersection of the Highway and the access road would only be about 80 feet in width, is that correct?

Watt: No, it is 280 from here to here . . .

Jakosky: But the bank will be sloping down to the main entrance from both sides, will it not?

Watt: No, what I'm saying is that this road here can be held at substantially the same grade as this road and the transition taken from here up to here - you see this is the area we have to make grade at this point; right here is the critical point - we can take out the transition from here to here.

Jakosky: All right, but now going west, or on the other side.

Watt: The same situation holds true over there as here; this is the same elevation as this is.

Jakosky: I'm still a little bit confused because at that point the Highway is dropping down quite rapidly, is it not, dropping in elevation?

Watt: It drops from here down to here.

Adkinson: The Highway as it passes that 300 foot . . .

Watt: Oh, it starts dropping down in here somewhere . . .

Adkinson: That's correct - in other words, the Highway does not start dropping until it is beyond the vista point . . .

Glass: In the original report the Highway was far enough below that frontage road that you were able to get a bridge and overpass type of thing . . .

Watt: That's right, by moving this building this way we opened this up enough to be able to come back up on this side, as well as on this side, eliminate the overpass, and open up the entire swale through the center - that's really the key element in the plan change; that plus the elimination of units here.

Glass: Would you be amenable then to a condition that would state that no part of that 282 feet swath from the Highway property line bayward would be above the elevation of the highway, in other words, it would be so graded that it would all be at, or below the elevation of the highway, because if that is not the case, then it's not a view swath . . .

Watt: Well, it's the extent that isn't the case, you're constricting it at this point, is what you're saying.

Glass: Yes.

Watt: Yes.

Glass: In other words, it's either a "window to the bay" or it isn't and it's not a "window to the bay" if it's above the highway.

Watt: Well, I think that we could live with that because we would be able to take up the grade change between here and here (indicating on map) it may be a little bit difficult to do but looking at it on the surface I would say we could come awfully close to it.

Jakosky: Well, as I see it, you would have to slope away from the intersection of the highway and not at the same elevation as the left bank.

Watt: Well it ends . . .

Glass: It would take automatically along the natural grade - by the time you get to the parking area . . .

Watt: It slopes away from it - there is a problem here of how to precisely word it, I think, but it does definitely slope away. We have a cross section cut thru here (indicating on map) which might help.

Jakosky: You don't have a cross section drawn parallel with the access to the highway, by any chance . . .

Watt: Parallel?

Jakosky: To the access to the highway, at right angles to the other one.

Watt: Parallel to the highway, this way?

Jakosky: Uh huh.

Watt: No, we do not.

Jakosky: Any further questions for Mr. Taylor?

Brown: I'm waiting to hear about your . . .

Taylor: Our questions? Very well. In reference to the 28 conditions, our first question deals with Item 5 and 9 where you state that public access to the private streets are to be irrevocable and then Item 9 that the easements providing public pedestrian and bicycle access to the development shall be provided in locations meeting the approval of the Director of Community Development in a manner meeting the approval of the City Attorney. We feel that there is somewhat of a redundancy there, that actually Item 9 covers exactly what we had in mind in dedicating the irrevocable public easements; these are so designated on our plan and we don't quite understand what -

if you are asking that all the streets have public access to them, or just what are you asking.

Hewicker: These are both identical conditions that appeared on the previous action by the Commission. There is one point I would make with respect to the public access to private streets and that is with respect to the park; the City Council is going to have to make a decision as to whether the City desires to purchase the park for public purposes or whether they would prefer to leave it as the Irvine Company would propose and develop it for private recreational uses. In the event that it were developed for a private recreational purposes, we would still recommend it could be a public vista point above that park and that there be vehicular access to the park and an area provided for the off-street parking of automobiles; so I think with respect to Conditions No. 5 and 9, particularly with respect to vehicular access to the park, that would have to be irrevocable.

Taylor: Well, our only question was that we intend, regardless of what the City does relative to the public park that the vista will remain and we were just concerned as to whether all the streets in this particular project were to have public access on them, we did not originally intend that that be the case. I interpreted Item 5 as stating that all the streets had to have public access to them.

Jakosky: Was it your thought that only the main entrance and the area out to the park fall in that category?

Taylor: That's correct, and in conjunction with that, then the pedestrian pathway system which is on Long (?) Road which goes from the entire westerly end to the easterly end along the front of the bluff is also to have irrevocable public access over it as well as those sections which lead the public to the vista point at the westerly end.

Jakosky: What problems will you be getting into if the streets do not have public access throughout the entire project?

Taylor: If they do not?

Jakosky: Yes.

Taylor: Well the ones that we have just mentioned will have to have public access to fulfill the obligations and the commitments that we have made. We just feel that to control the traffic over the rest of the project which is private in nature that we don't need to have the rest of the streets having public access over them. There are no other public points on the other parts of the project.

Glass: In regard to Item 5, I had suggested that condition at one of the previous hearings after a description of how these vista points would be located and how they could potentially be used and the concern was not all of the streets in the development but primarily those that would allow automobile access to the vista points, primarily because the extreme change in grade between Bayside Drive at the westerly end of the project and the vista point in the northwest corner. Obviously, if you are going to show elderly people the view, you can't put them on a bicycle or have them walk up hills like that, and it was primarily to assure that the vista points would be accessible by the full range of the public.

Taylor: We just thought you could incorporate that into Item 9 by including vista points.

Glass: Yes, it could be more precisely worded.

Taylor: The only other condition that we have reference to is Item No. 8, that a grade separation be commenced prior to January 1, 1973. Our question relative to this particular item falls into the category that this was not a requirement in the staff report of January 5, 1971 and that as desirable as grade separations are, I think that everyone will agree that a grade separation at every intersection would certainly involve a lot of problems; that there must be standards before you can require these types of things. Our feeling is that the Planning Commission has always required the developer to provide standards and data to support that which he is proposing and we would ask at this time if there is specific information and, if so, may we be apprised of it, which indicates to the staff or to the Commission that a grade separation is necessary at this point. Our staff consultant and the consultant that we hired indicated that the proposed method of ingress and egress at this point was a satisfactory solution and we thought we had concurrence from your staff.

Jakosky: Perhaps I can ask Mr. Nolan to comment on that.

Nolan: Yes, Mr. Chairman, I would like to comment briefly on that subject. I think Mr. Taylor, perhaps, phrased the nub of the problem rather well when he stated that maybe a grade separation, or interchanges, at all of the intersections on Coast Highway would solve certain problems. If such a thing is to be done, the highest priority on location, I think, should be at the locations where the greatest number of conflicting movements, that is conflicting turning movements occur on the Coast Highway and these would obviously be at such locations as Jamboree Road, Bayside Drive, Dover Drive, MacArthur Boulevard, etc. This intersection will be a comparatively minor intersection and the Public Works Department does not feel that the cost, both in terms of dollars and land use of a grade separation or an interchange could be justified at this location. A grade separation or an interchange at this location would also, I think, affect the Dunes Park and this would probably not be a very desirable thing.

Taylor: Thank you, that answers our questions relative to that condition.

Jakosky: Are there any other staff recommendations that you have any questions about?

Martin: Mr. Chairman, I have, or I had a question about recommendation No. 17 from the staff. I didn't understand it when I first read it - I think I understand it a little better after the discussion about the park. I don't quite understand the point that if the City Council decides not to acquire the park site that said area shall be developed for private recreational use exclusive of public vistas and vehicular parking area. In either event, easements providing public vehicular access to the park shall be provided at locations meeting the approval of the Director of Community Development. Does this mean that public vehicular access to the entire park for just that specific vista point?

Hewicker: Well, in the event that the park was developed for private recreational purposes the interest of the City in guaranteeing vehicular access would be only to the vista point.

Brown: Would you accept wording, insert after the word "park" in the third line from the bottom of 17, "or vista".

Hewicker: All right.

Martin: That clarifies it a little for me, I really didn't understand it.

Hewicker: Staff would make one correction on Condition No. 15 regarding the identification signs; that there would be signs at the two entrances on Bayside Drive rather than 3, this was a mistake on the part of the staff.

Glass: Mr. Chairman, inasmuch as we're rewording and correcting the conditions I would like to, apropos to my question to the applicant a few minutes ago, suggest Condition 16 (a) that within the 282 foot wide window to the bay at the main Coast Highway entrance, that no finished grade within that strip of land be above the elevation of the highway as it passes that opening, or proper words to that effect.

Jakosky: Are there any other conditions that the Commission wants to make to the staff recommendations.

Hewicker: Mr. Chairman, I would make two comments; No. 1 - on the easterly end of the project a . . . setback from Jamboree, 50 feet from the right-of-way, plus an additional 10 feet from the curb face. When the conditions of approval were originally drafted for the other project, it was worded that the setback would be measured from Bayside Drive and I have added the words "from the curb face". Now I am wondering what actually was the intent of the Commission at that time. Was it a 60 foot setback from the curb face or a 50 foot setback from the right-of-way line, or a 60 foot setback from the right-of-way line. Both of the plot plans are the same.

Jakosky: I thought the intent was 60 feet from the right-of-way line.

Hewicker: Then that would be an additional 10 feet above and beyond what is shown on the plot plan.

Jakosky: Any other members of the Commission care to comment on this condition?

Hewicker: I believe this came out of a discussion the Commission had with respect to the desired setback from Bayside Drive and what the angle would be from the intersection in order to preserve the view of the Pavilion from the intersection of Coast Highway and Jamboree Road.

Watson: I believe that was the reason for that as I remember.

??? We were trying to make a view path along Jamboree rather than Dover - this may be obsolete now. . .

(Jumbled conversation follows)

Hewicker: Condition 18 deals with a vista through the center of the project at Coast Highway and the main entrance but Condition No. 19 deals with the view from the intersection of Jamboree and Coast Highway.

??? (Jumbled conversation)

Glass: 18 (a) that we just added is the window . . .

(More jumbled conversation)

Jakosky: Are there any other questions for the staff or the applicant?

Hewicker: I would like to call the attention of the Commission to Condition No. 27 - that consideration be given to providing vehicular access to the shopping center parking area from the easterly end of the development on Bayside

Drive. I have the feeling that this would be a very desirable feature and would permit people in the apartment project to patronize the Bayside Shopping Center without having to go out onto Bayside Drive.

Brown: As a condition, it doesn't say much for it, does it? Or are you suggesting that the Commission make it a condition? You wouldn't like us to adopt 27 as it . . .

Hewicker: It's an introduction to the question.

Brown: Thank you.

Jakosky: Would Mr. Taylor like to comment on that particular item - Item 27.

Taylor: We will certainly attempt to - we have analyzed the problem - there is a very steep grade at that point and at the point that you can get access, in other words make the grade up to that access road is so close to the intersection that you may, in fact, be creating as much of a problem as you are attempting to solve. We would like to leave the condition as it is now and work with your staff in an attempt to reach an amenable solution - but it is a very difficult one because of the steepness of the slope at that point.

Jakosky: Thank you, Jim. If there are no further questions, I would like to call for comments from the people in the audience. Anyone in the audience that would like to comment on this application?

Chambers: Lois Chambers. I want to ask from this map because I'm very much interested and is it my understanding that there are these three access entrances to the development or only two. What is this then, are these the two. All right what is this for? For pedestrian entrances. All right secondly where is the park in relation to this map that is to . . . All right this is the park . . . this is an old one . . . O.K. This is the park, I mean from here this will go back about 50 feet at . . . I mean from the highway into this area at the top from Bayside, from Jamboree Road, so this will be the vista area, one of the vista areas, and the second one will be here . . . an I right . . .

(Jumbled conversation)

I want to see what this map is all about that we got . . .

Watt: This vista point here is right there. This vista point there is right here in this plaza overlooking the tennis courts. This vista point here was not on the original map. This is now a place for people to take vehicular access, public parking space and overlook this area here. That was not on the original plan. The vista point here corresponds to the one, well its not too carefully indicated here, but there was to be a vista point there and then a walk here would be . . . a circulation with vista points out.

Chambers: I have another question I would like to ask. You're speaking of an entrance from . . . this is Safeway shopping center . . . yes . . . this is what, now? This is the area for park right, right here.

Watt: No, this is vacant. The parking stops right here. The parking is from here over.

Chambers: Oh, what is this area going to be for?

Watt: I don't know. That is presently, Jim, is that zoned commercial?

Taylor: It's unclassified . . .

Watt: . . . but we find the area would be an extension of Bayside Shopping Center.

Chambers: Because my point was when you were talking about the grade coming down, if it was the parking area it would seem that you could get down into that parking area without getting to Bayside. This is all of Bayside Drive . . .

Watt: The problem is the grade change from here to here and the problem getting from this lower level on to this road without causing problems on this road that might be greater than the problem you are trying to solve near Bayside and it's a technical problem and that's what we're suggesting Mr. Carpenter work out with the staff.

Chambers: All right, one more question. Would the public be permitted to come in here and look in here and then they may also ride around and look . . .

Watt: Are you talking about in a car or on a bicycle?

Chambers: I'm talking about in a car. I want to see like at Bayshores, at Cameo Shores at Irvine Terrace. I can drive anyplace around there I wish to. Is that a private area such as Emerald Bay or the area down at Laguna . . . are you closing that off to the public?

Watt: No madam. What we are proposing is that the public come to this point in vehicles and at this point we have provided public parking. What we ask is that the vehicular access be limited to this point, from here in and to this vista point. We are saying that there is no problem with bicycle traffic and pedestrian traffic but the problems of controlling public traffic in this area is something that we would rather not accept that . . .

Chambers: Yes, but you can't cut off the public in that area because if you do its got to be private property.

Watt: It is private property, madam.

(Jumbled conversation)

Watt: Well what we are trying to do here is we are trying to provide a development which will permit a mixed - will permit the public to utilize private facilities. You talked about Irvine Terrace, but if you drive through Irvine Terrace you don't have use typically from those kinds of projects. What we are trying to do here is provide certain public amenities in the way of bicycle trails, pedestrian trails, places to stop and look and we have included in this plan a place to stop and look and park your car. We are asking that the public not be permitted to drive their car all around the project. That is the proposal as it stands right now,

Wilson: Mr. Chairman, at the boundary of the Bayside Shopping Center comes to this point as it was pointed out a moment ago, in connection with the realignment of Bayside Drive it cuts off part of the existing parking area and also changes the situation at the most westerly entrance of the Bayside Shopping Center parking area so that you no longer have adequate turning radius to get off at Bayside Drive and then into the isle that runs in front of the Safeway store so one of the requirements imposed by the City on the Irvine Company at the time of the approval of the realignment of Bayside Drive was that the City require the Irvine Company to come in with a plan for first replacing all of the parking spaces in the Bayside Shopping Center as it would be wiped out by the realignment of Bayside Drive and secondly a redesign of the entrance

points to that shopping center so that they will function satisfactorily under the new plan. That will involve expanding the parking area into this space here. There is room enough to do this and accomplish it but it is going to take more design than has yet been finished and that relates to the grades and the possible entrance connections from the shopping center directly onto this entrance road. There are two or three ways that this can be worked out within the area that is available. It is not an integral part of the Promontory Point apartment project and therefore that is why the matter was worded as it was but I would like to reiterate this is a requirement established by the City upon the Irvine Company that this parking space be made up and that the entrances be redesigned and reconstructed.

Jakosky: Would anyone else in the audience care to comment. Yes sir.

Henley: My name is Lee Henley. I am a merchant in the Bayside Shopping Center. Three years ago when negotiating a lease with the Irvine Company we were informed that the City had a plan - the master plan was to put apartments upon Promontory Point and this was quite influencing point in my being interested in signing a lease and going into business in Bayside Center. There are a lot of vacant areas in radius around that particular business point and frankly I feel that the area can stand more population and the business people are in need of more population and I am personally in favor of the plan as proposed.

Jakosky: Thank you, sir.

Elliott: My name is John Elliott. I live at 1011 Bonnie Doone Terrace about 400 feet from the subject property. I probably live closer to the property than any one here tonight. I probably have spent more time on that property than anyone here tonight simply because I trespass almost daily. My dog and I run out there. It is a beautiful piece of property with vistas in all directions. Without going into a great deal of time consuming detail, I honestly believe it would be going the City of Newport Beach and the Irvine Company a disservice if you disapprove of this. I heartily think this is a fine project for that particular piece of property. I only believe that the Irvine Company could economically afford to put 18 units per acre on a piece of property. It's a fine piece of property and I am all for the development. Thank you.

Jakosky: Thank you, Mr. Elliott.

Thompson: My name is Bill Thompson. I and the people I represent are bitterly disappointed. After all these months that the Irvine Company has only come up with a watered down version of what you people turned down last February. Density was never per se the big objection. We just felt that that's too beautiful a piece of property to clutter it up with a bunch of multiple dwellings. We suggested and I don't know whether or not it's feasible that something much less dense than what they are proposing is what would be proper up there. There is R-1 all along the Pacific Coast Highway as far as you can go in Newport Beach and we feel it's a shame to clutter up the last piece of property with this type of a development. We are not even talking about traffic or anything else we are just talking about its just an improper use of that land in our opinion. Thank you. (Applause)

Jakosky: Would anyone else care to make a comment?

Franklin: Col. Franklin of Balboa Island and representing the Balboa Island Association as well. With regards to the density and the comparison in the report with Balboa Island I believe that Mr. Kelso in the audience will point out some apparent errors in that portion of the staff report. I just want to let you

be alert to what interesting comments he will present. Further we are mindful that although density is not the great question that it is a matter of the best use of property, that there are - is quite a bit of density - there are 78 units which have not been mentioned which are right below, across from Bayside Drive, which add to the confusion of the entire project. And I say confusion because the watered down version is really not in keeping with the thinking, the desires and the aspirations of the nearby residents of Balboa Island. I'm mindful that when we last appeared before you gentlemen, we were in great numbers. This may have had quite an impression upon you as to the sincerity and ferociousness of our interest and concern. Our lack of numbers tonight is I trust not impressive to you because the last time, the first and only time we appeared before our City Council there were long discussions and finally a decision, gentlemen, which we thought would lead to an applicable as well as an admirable solution. There was, as I recall, the minutes may prove otherwise, but I doubt, but if they do I hope I will be instantly corrected, that the close of the public hearing by the City Council, the reconsideration of your Planning Commission's, our Planning Commission's action, that a vote was taken which established a referral of the matter to a committee, a committee to be composed of two members of the City Council, two members of the Planning Commission and one representative of the people of Balboa Island through the Balboa Island Association. The purpose of that was to try to work out a plan which would be acceptable to the City, acceptable to the Irvine Company and shall we say at least not objectionable to the people of Balboa Island. From this we have heard nothing and yet our people who were numerous in number that night have all been assuming, been lulled to sleep, that this was going to be evolved and that our own representative would report to our own people what progress was being made and what plans were to be presented officially. I noticed only tonight because I learned about this session only at my office this evening about 5:30 that there was another action of the City Council on March 8th. I surmise that something at that meeting that something happened to the committee. May I inquire, was it the action of the committee rescinded.

Hewicker: Yes it was. The committee was never formed.

Franklin: Very well. Now that poses to me and to my mind as an individual and as a lawyer two interesting and important aspects, one equitable, one legal. From the equitable point of view when numerous people vitally interested come to you and then come to the City Council are told out loud and I'm not criticizing you all, you weren't in those chairs, when they are told there is going to be a committee appointed and this will be the solution, this will be the method to seek a solution, that those people have good reason to rely on that method of seeking a solution. Not hearing from us Balboa Island Association, the people of Balboa Island certainly thought nothing was cooking. Gosh, its boiling over here tonight. The fire has been going, not just simmering, but really full blast without any word whatsoever to us by anybody officially or unofficially until boom maybe a trickle of us saw something in the newspaper and then finally over the holidays and stuff we have our patrol here tonight and that's about all. Now from the legal point of view - this isn't a threat, this is simply an analysis. I pose the very sincere legal question to legal counsel, to legal counsel on your commission, to legal counsel everywhere, where a City Council takes action at a public hearing and announces that action and then without any formal notice attempts to revise, revoke or change that action and subsequent to that the very same application, not a new application, this isn't a new application, this is the old one watered down, the same old application is presented again in a manner other than, different from, and contrary to the method formalized and adopted by the Council in February, I contend gentlemen that the City Council was without legal authority in the manner

in which I assume it was done, that is without a public noticed hearing again to change the M.O. Now why is this important? This is important because we shall be part of the city too and we believe there are rules, let's abide by them, let's adhere to them. We were delighted at the idea that we could be present to express our views through our representative on this committee. We were delighted at the thought that maybe we can contribute to an amicable, favorable, desirable solution and now we suddenly find, no so. Not so much that we were ignored, it is rather that the rules were changed on us and we weren't even on the field to play the game. We therefore urge in the interest of equity and interest of legality that this matter start all over again with a new application but I really think it's all fouled up legally, start with a new application and let us appear so that our people can be present here in great numbers if it ever gets up to the City Council, but here tonight, please gentlemen, do not take our lack of numbers as lack of interest. It is simply lack of knowledge, and we do . . . inasmuch as this is but a 15% reduction more or less in density and inasmuch as it is not an approach to the R-1 that the application be denied and start over again, get on the right legal track and be solved in a proper fashion and method. Thank you.

(Applause)

Hewicker: Mr. Chairman, may I comment?

Brown: I've asked first if I may, Jim. I would like to respond to one point to Col. Franklin. I'll speak for myself and not for my fellow Commissioners. I would not have served on that committee had I been asked. I suspect there would have been no other Commissioners who would have served on it and let me say why. There was an application before the Commission, the Commission rejected it, it was under appeal and in my own opinion, the action the City Council took to appoint a committee at that point was an improper action. I believe that City Council had a responsibility with a matter on appeal to us all. City Council could have rejected it, chose not to. In passing the buck, and I use these words, in passing the buck to a committee to angle it out, to my point of view it left the matter that was under appeal which an applicant is entitled to prompt disposition of an appeal and has left it hanging. I think the appropriate thing would have been either to overrule the Commission or to reject the application and appoint a committee to study replanning the area but to do it with an appeal pending seemed to me quite improper and as one individual I would have refused to serve on that committee while an application was pending. Understand and sympathize with your position but I really think the Council chose what turned out to be an unhappy way of getting off the spot at that particular moment.

Martin: Mr. Chairman, my reasons for refusing to serve on this same committee were exactly the same.

Jakosky: Jim, you have a comment?

Hewicker: We have furnished the Commission with copies of the City Council minutes on February 8th when they considered the application at length and on March 8th when they rescinded their previous action and referred the application back to the Planning Commission to allow the applicant to submit modifications to the original plan for reconsideration. The applicant is only doing what they were instructed to do by the City Council. With respect to the modified plan, I would point out that we have mailed public notices to the Women's Civic League of Newport Beach, Tom Houston, President of the Balboa Island Improvement Association, Allan Beek of Beacon Bay, William O'Brien of Bayshores, Tom Hines of the Central Newport Beach Community Association and the Newport-Mesa Unified School District. All of these organizations were organized groups

which indicated they had some interest in the project the last time it was before the Commission and these notices were sent out approximately two to three weeks ago, so if anybody has just found out about it in the last few days, they just either haven't been attending their association or some internal communications are gummed up.

Jakosky: Would anyone else care to comment on this matter: Yes sir.

Kelso: Al Kelso, Balboa Island Improvement Association member and resident of the island. I'd like to comment on what has just been said about the notification and I think there was proper timing in the sense of short timing but as many of you gentlemen know and was demonstrated earlier tonight, many associations only meet once a month and this does not provide very adequate time for board review and proper approach as an asserted group. I'd like to address myself now to densities. I note in the report here that the Staff has prepared 25.8 dwelling units per gross acre, Balboa Island. I challenge the figure sir. Joe Devlin tells me are 135 acres, there are 1490 lots roughly, on the island, they're R-2, this would develop to 2780 units. On this basis the saturation could run 22 dwelling units per acre. There are not R-2 on the entire island. They are roughly 1.6 dwelling units per lot, per R-2 lot in other words. So this figure, I believe corrects somewhat to 15 to 16 dwelling units per acre. Well you may ask, so what. Well I think its been pointed out that we on the island are concerned with the density there now of 15 to 16 dwelling units per acre because of many reasons, parking, traffic control, blocked in locations, older buildings and so forth. And I believe its a general viewpoint of the island that they would like to see this loosened up and I certainly feel from what's transpired over the many weeks of these hearings that the concern that many people have over Promontory Point apartment project is the density there, the number of people this is going to thrust into a contained area. If you gentlemen extend some of these figures to the 12 square miles of Newport Beach, its easy to see that the projects that were mentioned here, the Oakwood, South Bay, Park Newport, the Bluffs, total up to 3892 dwelling units on 105 acres. If you project these figures out and just made a broad bland assumption that the whole of Newport Beach was drawn up on this basis we'd have a population of 780,000 people. We have 51,000 now and obviously a lot of the land is developed. But I would ask you gentlemen to look and review carefully the Newport Tomorrow goals. (quote: "Land Use limitations should encourage the expansion of single family. 2. Great care in land planning should be used in other words and given to density of population. Those two items to me in our 12 square miles certainly do spell out a double look at even 536 units on Promontory. Thank you. (Applause)

Wilson: Mr. Chairman, since I'm the one that calculated the figures that were in the report I think I can give an explanation as to how they were arrived at. First of all it is the figure was arrived at by trying to take comparable area and figure it on that basis, as to permitted number of dwelling units, not necessarily that which existed within the area on a particular date but the number which the zoning ordinance allows to be constructed. What we did was to take the area from Onyx Avenue to Collins Avenue and from Park Avenue to Balboa Avenue figuring all the streets within those outer limits as a part of the area but not the perimeter streets. In other words trying to make an analogy to the area bounded by Pacific Coast Highway, Bayside Drive and so forth. . .

Kelso: . . . but why not the gross area, Larry. We've got a walk around there and 15 foot alleys all the way around the island - those are excluded from the density figure and I think its a misrepresentation . . . let me ask a little point . . . park is in the 29.55 acres of Promontory for 536 units, correct?

Wilson: Well, Al I don't want to try to discuss the fine points of which is the right way to figure but in order to explain how it was arrived at, we took this area through the entire center of Balboa Island, figured the gross densities within those perimeter streets and that's how, as permitted by the zoning ordinance figuring that was the nearly comparable - now in terms of other more detailed information, this map which has just recently been prepared as a part of our general planning program for many purposes - it was not prepared for the hearing this evening, but it illustrates what the density ranges are in the City of Newport Beach on each block face, on the basis of existing conditions, on a net basis, now that's net by area and you get into the problem when you have private streets, do you include them or don't you include them and for this purpose private streets are included within the net area of the project, public streets are not. So there are lots of ways to figure these things and we could spend a good deal of time trying to figure the best way but this is the basis on which those figures were computed.

Kelso: Thank you Larry for that explanation, however, I do feel there are 135 acres and so many residents, so many lots, in one instance there 29.55 acres and 536 units in the other and they both divide out and they both give you a figure. This is all I'm citing on, thank you. (Applause)

Beek: Allan Beek, 28 Beacon Bay. I'm not going to take your time repeating all the arguments I've made in the past, I think they are all still valid, but the chief argument I want to plead tonight in defense of the public is double jeopardy. This matter was thoroughly discussed in January, you heard all sides of it very carefully set forth and if the transcript shows the testimony given by the traffic engineers, I also hope that transcript makes available the brilliant summation that Commissioner Dosh made of the whole matter because I thought it was a narration that should be preserved for the annals of history. He set it forth very clearly and thoroughly devastated the argument that anybody was entitled to high density here because of a years old and obsolete master plan for the development of the City. What has happened is that the Irvine Company has reduced the density by about 1/6 and I would suspect that if they are as smart as I think they are this is the plan they intended to come up with all along and they brought the other one in first just to have something to back off from. If a woman wants to buy a \$500.00 coat, she doesn't begin with \$500.00, she goes out and gets a \$600.00 coat and her husband makes her take it back and then she settles for the \$500.00 coat . . . (laughter) . . . They got a very definite answer in January, they haven't changed anything except this minor little 1/6 in the density, they still have the little tiny beach down there with something like 2 inches of beach per living unit . . . I think that in response to that answer, they should have come back with something really different, something the community indicated it wanted and something the Planning Commission indicated it wanted and I'm not going to beleaguer the matter any further. I ask you to please reject this application as you did the other because it is simply the same application. (Applause)

Jakosky: Is there anyone else that would care to comment on this application?

Dakin: My name is E. W. Dakin, I live at 1220 Dolphin Terrace just adjacent to the eastern end of the Irvine Project. I would like to make just two points that occur to me as an interested party in this discussion this evening. First, it seems to me at the present time we've got one of the most unsightly pieces of property that I've noticed anyplace along the coast due to the stalemate that evidently has developed in this discussion as typical tonight. I would like to see you go ahead and approve this - I think it's liveable - I wish it weren't anywhere near as dense as they have come up with but I think we've got to recognize and be realistic that this is a very valuable piece of property

and that some form of and involving high density will eventually evolve as far as the land use is concerned to justify the value of the property as it stands at the present time and I think they have done a fairly good job especially if they can landscape it as well as they outline here at least it's better to look at than it is at the present time and for that matter it occurs to me in all fairness a little bit better to look at than Balboa Island is at the present time - that's a pretty congested area. (Applause) I would personally like to see you go ahead on this.

Pease: Harvey Pease, Balboa Island. I would like to state as I did before the City Council and I feel this is a problem property and that multiple use is warranted. I would have to feel that in light of the changes which the company has come forward with that they have made an honest and sincere effort to remedy some of the limitations and defects which were pointed out at previous hearings. I think a notable progress has been made in that respect. I think it does fall short in at least two categories - one is the convergence of traffic at the west end of Bayside Drive. I may be in the position of second guessing the judgment of the traffic experts but I cannot help but feel that with the development which is taking place along and around Bayside or Promontory Bay with the proposed development and . . . of residents from the Promontory Point development at a critical point on Bayside Drive where you have - - in other words a convergence from virtually from Harbor Island from Beacon Bay from the homes that are now contemplated and will ultimately be developed around Promontory Bay supplemented by the traffic from Promontory Point and the normal traffic and use along Bayside Drive that at that critical point the problem is going to be created and I think the company has failed at this point to adequately resolve it. It would seem to me that that particular area merits further consideration. The second comment I would make is with respect to the park itself. It seems to me this is a captive park and it will be used essentially and primarily by the residents of the development itself. The proposal, the matter of negotiation, perhaps it is out of your hands but I think it is well within the purview of your responsibility to encourage the development of this park in a way that will serve a broader use. Frequent references are made to public parking. At the meeting of the Parks, Beaches and Recreation Commission meeting which was attended by the total of two general residents, there were two of the general public present at that meeting, it was brought out that there are approximately three alternative plans with a maximum parking of I think 15 cars. Now with direct access from Pacific Coast Highway to a presumed vista point with accommodations for 15 cars I think we are inviting a problem on its face. I think that should perhaps be further explored. In view of the fact that perhaps the park will be used perhaps even more in the main by the residents than by the general public, the cooperative approach in the development of this park should be encouraged. At the parks meeting it was indicated that just a nominal use without consideration of public use or either recreational area, that somewhere around 25 to 30 thousand dollars is involved over and above the actual purchase price. In view of this kind of outlay for a park which has at best limited access, limited parking, that from a planning point of view this aspect hopefully would be taken into further consideration.

Jakosky: Thank you, Mr. Pease. Anyone else care to comment?

Lundy: My name is Anne Lundy and we did receive a letter yesterday. Due to a change in the board, the Women's League of Newport Harbor, due to our last meeting being a luncheon meeting in May and there will be no further meetings except perhaps one of the board in mid summer, next general meeting will be in September, but I will say that you did send us a letter and I thought it was very fine. I had no time to reply. As a private citizen and an ex-student of geology there is one question in my mind. I have never seen a

geology report of that area and I would like to make a request for one.
Thank you.

Jakosky: Would anyone else care to comment on this application? Yes sir.

Barnum: Good morning gentlemen, my name is Karl Barnum. I live at 2901 Cassia and at the present time I am involved with the Apothacary Enterprise, Bayside Pharmacy in Bayside Center and as a . . . special interest group that's where my money is invested, I'm interested in the development of this land in a proper way but as of - well it's been six years since we signed our lease and rolled the marbles to see if we could make a business venture over there. It was our understanding at that time when we began our business that this was according to even an old master plan, it was to be put up in apartments. With the density such as it is around there drawing quarter mile circles around the shopping center, there is an awful lot of sand and bay and beach that really does not support a commercial enterprise, my feel is not necessarily for my pocketbook but when people go to bat with their investment money and with the understanding that things will be developed along a certain line, it's important that some consideration be given to those tenants that people put their faith in. It is one of the most beautiful pieces of property on the coast especially for some residential use and unless Norton Simon or someone wants to buy the whole thing for an estate, I think that probably some multiple use, multiple dwelling would be the only way it would be tennable to economically develop it. Thank you for your time.

Jakosky: Thank you sir. Any other comments from the audience.

Iverson: Mr. Chairman, gentlemen, my name is Chick Iverson right near the subject property. I didn't come here to talk tonight, I came to listen, but I will talk a little bit. I have watched this with great interest since I have been closely associated by a piece of property. I have - was not at the last meeting. I'm not familiar with all of the pros and cons. I think it is very nice that we are all afforded the privilege to state our views for or against. I think that everybody that's been before so far has come up with some very valuable - whether they were for or against. I think that the Irvine Company has done a nice job and a very fine job on their design. My interest in it is not commercial, it does not involve me one way or another and I have no emotional involvement in it in that respect. I am very conscious of proper buildings, proper use of land and proper landscaping and things of that nature. I also feel that the people of our City do need other than single family dwellings, some good apartment complexes. I am not so much in knowledge of density and things like this but from the studies that I see and watch and look at in the report I think that they have done a very fine job and certainly in the past what they have demonstrated and their requirements that they impose on people such as myself and themselves and everybody else, I think that they will do a good job there and I think that it is in my opinion the best usage for the land because not everybody does want to live in a single apartment - dwelling. They would like to have some good apartments. I don't think we have enough of them in Newport. That's all I have to say on it and I hope it will go through.

Jakosky: Thank you, sir.

Felton: Mr. Chairman, Commissioners, my name is James P. Felton, I live at 1839 Sabrina Terrace. I am a newcomer to your community - we moved out here in December. I am part of this Avco Financial Services complex that built the 16 story building in Newport Center. We brought 550 families down here to Newport Beach, and we will bring more down as our building is filled with other tenants. About 60% of the people who are employed at Avco at the

present time are living outside of Newport Beach because there is not adequate housing for them here. They are using your services, your Police protection, your Fire protection while they are in the City but they are spending their money and their taxes outside your City. We feel that this is a very essential improvement to Newport Beach and I am trying to represent people for the entire city of Newport Beach, not just one neighborhood and I think this is the problem, a total citywide problem, not just a Balboa Island problem.

Jakosky: Thank you, sir. Any other comments? If there are no further comments from the audience, Mr. Taylor had asked for a five minute summation period.

Taylor: Before summarizing our position based on the comments that were made during the discussion of the staff report we would like to request that two changes be made to the conditions in the report. In looking at the plans during the course of the discussions we would like to ask if Item No. 18 (a) could be amended to read to provide us the flexibility of keeping the window area unencumbered from a distance of 250 to 282 feet; this would allow us the opportunity to, if we can't make that grade, still provide the window area. We would like to see if the Commission would allow us the flexibility to stay within a range of 250 to 282 feet. The second change that we would like to request is based on the comments of your City Engineer that the grade separation is not necessary, that Item No. 8 be stricken from the requirements on this project. Gentlemen, you have heard tonight both pro and con on this project and the Company is of the very strongest conviction that the project as we have presently proposed it constitutes a reasonable use of the land. During the concluding remarks made at the January 5th meeting, it was indicated that this particular development was a significant change in the complexion of the neighborhood. We have submitted to you a land use plan that I think if you will examine it will indicate to you that there is a wide variety of land uses in this area and there is no predominant land use; there is commercial established at either end; there is a tremendous amount of commercial recreation property immediately across the highway from this site and there is a tremendous amount of mobile homes in that area. There is also multi-family development that exists adjacent to this area as well as single family. We have heard the comment tonight that perhaps too much multi-family is being developed and not enough single family is being developed. I would submit that The Irvine Company has recently annexed almost 1,000 acres of property to the City in the Harbor View Hills area of which over 80% of it is single family at a density of less than five D/U per acre. There is the development in Big Canyon which is custom lot, and only a small portion of the 450 acres in that development is scheduled for higher than 10 dwelling units per acre. I think that the summation that we are attempting to present to you is that there is a demand for a wide variety of housing types and we are attempting to meet that demand and feel an obligation to do so, and to provide every person the same opportunity to enjoy the same things as a single family home owner. The project that we are submitting to you constitutes, as your own staff has indicated, one of the least dense apartment projects that this Planning Commission has approved in the past year and this is substantiated by your staff report of not only January 5th but of this evening. We have heard comments to the effect that the General Plan is outdated but I submit to you, gentlemen, that the developer has only one visible means of knowing what the City's plans are for the development of properties and that is that General Plan. If it's outdated, change the General Plan, but do so before a developer gets started developing plans for construction on that site. The General Plan that was proposed has been amended and it has been amended by The Irvine Company itself. We have reduced the density that is shown on the General Plan by two-thirds; this was achieved by turning 30 acres of the area designated for multi-family into 61 single-family lots, custom in nature, with the creation of a 12 acre lagoon. The amenities that are available

to the public, and I emphasize the public, by the development of this project we feel are amenities that would not be available to the public should this property be developed as single family. Look at the single family developments that have been cited here tonight. How many of them provide you the opportunity to view this kind of amenity in the bay. These single family homes, because they were expensive, the owners have chosen to fence them off and to seclude themselves as they are justified in doing, and to enjoy their own properties. You would not have the vista point, you would not have the pedestrian and bicycle path that you have with this multi-family development, should it be a single family development, and this is available to the public. I think we are extremely gratified that the public agencies that have reviewed this prior to coming to the Commission have concurred in it, specifically your City Staff and the Parks, Beaches and Recreation Commission; they have endorsed this plan completely. In closing, I think what we are concerned about most is a procedure that has been established by the State, reference to Planning. That process required a request of the City to develop a General Plan and that zoning and development that takes place subsequent to that General Plan should be in conformance to the uses that are shown on that particular plan. The use permit procedure is not a tool for determining land use; it is a tool for controlling site design, therefore, we feel that our request is in conformance to your General Plan and is certainly a compatible element when related to that plan and that the use permit that you are reviewing tonight should be solely concerned with the site design of the particular project that we have proposed to you. For the above reasons, we respectfully request that you approve Use Permit 1494 as revised. In conclusion I would ask one thing of the Commission. The item as indicated by a condition of your staff is requested to go to the City Council for final determination. At the conclusion of the vote that was taken by the Planning Commission on January 5th, the Irvine Company sincerely felt that it was in a vacuum as to why, specifically, the project had been turned down. We know that the Commission is not obligated to provide us with this but we would ask that to assist the City Council, whether the project be approved, or disapproved, to guide and to give them insight as to your thinking on the decision of this case; that for any reason a Commissioner gives a negative vote we would like him to state for the record the particular and specific reasons why he has cast a negative vote. Thank you very much gentlemen.

Jakosky: Does the Commission have any further questions of either the applicant or the staff on this particular matter?

Dosh: Well, Mr. Chairman, there have been thousands of words said tonight so I guess I can say a few more. In some ways this seems like a summer re-run of the winter show and I don't use the analogy facetiously except that it's just convenient. We've had a 15% approximate reduction in the program, a few more commercials and a 15% cut in the entire performance. My opinion on this development hasn't changed any except by the 15%, I guess, but the remainder of 85% keeps me thinking the same way I did in January. I have the feeling that the development as it is now presented was not presented with the idea that it would be received with open arms, but rather as if they were seeking justification for what they propose to do to this piece of property. They bring up, and the staff report does the same thing - the mention of other apartment houses in other parts of the City, briefing for density figures out of context in a geographic sort of way, the Scholz apartment house bounded primarily by hospitals, convalescent homes, a bank, a lot of vacant territory. The R & B Development on 16th Street, bounded by a long stretch of commercial buildings, some office buildings and a football field. The Bakar production up on Jamboree Road whose closest neighbor, I guess, is Newport Center, and propose to put a huge apartment complex in an area surrounded by some of the finest homes in entire City of Newport Beach, and I admire the decrease in density; my thought has always been that area

deserved an extension of the Irvine Terrace style - probably it could be called Promontory Terrace for lack of a better name - and a similar type of density and that is the hope that I have had all this time that they would come up with a reverse in the percentages; they have showed 15% reduction but this 85% isn't anything, it is still a substantial amount. Mr. Taylor has brought out and answered nearly everything that I thought of as the evening has gone along, very thoroughly; I don't know of anybody that has appeared before us better prepared and did his homework any better and is more able to describe the situation, as the Company sees it, and I am sure that he is quite serious in asking why we might possibly object to the development. I feel that the applicant has a heavy responsibility to its stockholders to show a profit and this would be a big profit making development as far as the applicant is concerned. I feel in many ways the Planning Commission has a similar obligation to its stockholders, which would be the citizens of Newport Beach. Newport Beach is not a profit making organization, the City Manager would verify that, I'm sure, it's always enough of a problem to try and break even. But, nevertheless, we do try to preserve its assets and the best way we have of doing that is to see if we can define what the vested interests of the stockholders are in the City of Newport Beach. That has been something . . . by various committee reports; I've had occasion to mention the Newport Tomorrow report a good many times and I still think it's worth mentioning; also the polls that were taken during the same general period at some expense. The staff has taken probably a broader view of the interpretation than I would, but I think that the true felling of Newport Beach is possible somewhere in between and I cannot accept this development in the position proposed as a proper expression of the citizen stockholders of Newport Beach as to their wishes for the future of the City. Thank you. (Applause)

Jakosky: Curt, you've summed up quite well some of my concern on this particular project. I, personally, have a great deal of reservation of seeing an apartment house that will essentially cover the entire point and strip of land such as this one, and the cross sections of the structures would give an indication of the type of physical improvements that would be put upon the property, and if we look at Irvine Terrace essentially across the street from Jamboree, which is a high class R-1 area, you look at Bayshores, Beacon Bay, they're all high class residential areas. The new Promontory Bay which the Commission approved here sometime ago will be, in my opinion, another high class residential area. So to inject essentially in the center of this type of development an apartment project, I cannot give my support. (Applause)

Glass: Mr. Chairman, I'm afraid I have to disagree with both you and Curt in the examples that you give for high class residential development. I personally feel that Irvine Terrace is one of the unfriendliest neighborhoods one can imagine. It was bad enough on a piece of flat land but to develop a hillside view property right above a bay as handsome as ours in a manner in which the public has absolutely no view and can take no advantage of the uniqueness of that character of sight I think is . . . practically, its deplorable, its certainly at best is unfriendly. I would hope that any hillside areas in the city could be developed to allow as much public participation in the pleasures that the unique site can give as this one would. Admittedly it does have high density, but also it is not as high as many of the areas in the city which offer absolutely no balance to the public for that density. The rest of the city suffers from parking problems that we've all seen all evening tonight and we see every other Thursday evening, but essentially if you back off and look at them with a cold calculating eye, they are rather dreary places. I feel that to continue and extend the type of design that Irvine Terrace so woefully shows is to turn back the planning clock 15 or 20 years and by the Irvine Company's own admission, they would not do that type of thing again in their downcoast development and I'm very glad they won't. I feel that while we have to accept certain burdens upon the city

for the fact we do have a desirable area those burdens being primarily a lot of people and a lot of cars that if we can also accept in return for shouldering those burdens the potential benefits and the interest specifically shown in this development that we can learn to live with those burdens. So I would like to move at this time that Use Permit No. . . .

Jakosky: Gordon, let me interrupt just a moment, I have not closed the public hearing . . .

(Jumbled conversation)

Glass: I'm sorry, I withdraw my motion until it is closed.

Watson: I'd like to make a comment. I was so happy to see some of the other 51,000 tonight. They are not all Balboa Islanders. And I don't mean to be facetious and I'm from the Back Bay area and we are R-1 and I think we have as much an interest as the Balboa Islanders in Newport Beach and as you can see tonight the load isn't going to change too much but I think you ought to have some pluses with minuses and I do feel that it is a well planned, well thought out, engineered project and I just cannot believe that an apartment house dweller does not have the same rights as I do in R-1 Back Bay area, therefore, I'm going to suggest to my fellow members that we give this a lot of thought and approve it.

Jakosky: Any other comments from any members of the Commission.

Brown: Well I'd like to say that I think there are very few real issues actually, that is not that there isn't important issue - I'd have to say that for a multiple dwelling development it's got to be the best I've seen proposed in Newport Beach since I've been on this Commission as far as I'm concerned. I think the issue of should it be R-1 raises a puzzling question for use permits proceeding them. I am impressed by the argument that land use planning isn't itself the object of use permit procedures. I'd like to note that whatever action this commission takes this evening the City Council isn't going to be able to duck this one, it's going to the City Council if it goes with the recommendation or if it goes without a recommendation from the Planning Commission. I think in view of my last comment about the question about whether it should be R-1, I'm perfectly happy to leave that determination to the more politically sensitive body, the City Council, and therefore if I understand and anticipate the motion that Gordon was about to make, I expect to vote for it.

Jakosky: Any other comments from the Commission. If there are no further comments, I will close the public hearing. What action does the Commission wish to take on this application?

Glass: Mr. Chairman, I would like to move that Use Permit No. 1494 as amended be approved subject to the 28 conditions, sorry 29 conditions contained in the staff report and I'd like to pursuant to Mr. Taylors closing remarks modify condition No. 8 to say that, and again the staff can re-word this properly, that this is the basic idea I'd like to put across that - and I'd like to say why I'm changing this date, I feel that really until this development is fully constructed and occupied that we really won't know the full impact of the traffic on the surrounding streets therefore I'd like to push this date off for one year if prior to January 1, 1974 the Public Works director and the City Traffic Engineer feel that the Coast Highway entrance as signalized is hindering the flow of traffic in that area of the City that a grade separation be commenced and that on or near that date that those two parties report to the Planning Commission their analysis of the situation as they have studied it. And then I believe that item No. 17 had the word or vista inserted after the words to the park in the third to the last line and that

Item 18 (a) which we added earlier be amended to read from 250 to 282 feet in width, and with these conditions I . . .

Hewicker: What about condition No. 5 "public access for all of these private streets of just those that . . .

Glass: I would say public vehicular access to those streets serving the vista points - so with those conditions I move that Use Permit Application No. 1494 be approved.

Watson: Second the motion.

Jakosky: It has been moved and seconded that Use Permit Application No. 1494 be approved with the staff recommendations and modifications as outlined by Commissioner Glass - may I have a roll call vote please?

Vote: Ayes: Watson, Brown, Glass, Martin
Noes: Jakosky, Dosh, Adkinson

Jakosky: The motion carried.

CITY OF NEWPORT BEACH

Office of
CITY ATTORNEY

To: PB&R Director

May 27, 1971

From: City Attorney

Subject: Proposal to waive building excise tax in
connection with the Promontory Point development

You have requested my opinion on the question of whether the City could accept a dedication of land for park purposes by The Irvine Company in lieu of requiring the company to pay the fees which would otherwise be owed the City pursuant to the requirements of Chapter 3.12 of the Municipal Code, which imposes an excise upon the development of property.

In answer to your question, I am unable to find any basis upon which the City could waive the payment of the excise tax on property development under the circumstances you have suggested. One method by which the result you are seeking might be accomplished is simply to have the City pay The Irvine Company for the land in the same amount as the fees that they are required to pay the City under the property development tax. In effect, the payments would cancel each other out, and it would be merely a bookkeeping transaction.

TULLY H. SEYMOUR
City Attorney

THS:mh

cc: Phil Bottencourt
Joe Devlin
Larry Wilson ←



CITY OF NEWPORT BEACH
PARKS, BEACHES & RECREATION DEPARTMENT

May 21, 1971

TO: TULLY SHYMUR, CITY ATTORNEY
FROM: PB & R Director
SUBJECT: PROMONTORY POINT

At the PB & R Commission meeting of May 18, Jim Taylor of The Irvine Company presented a revised plan for Promontory Point. This area was basically the same in design as it had previously been, with the exception that a 14-acre park site was located on the slope facing realigned Bayside Drive about midway in the project.

All of the factors that the PB & R Commission had previously recommended which included a vista point at each end of the project, and access for bicycles and pedestrians to these vista points, were still included.

One recommendation made by The Irvine Company, however, needs, I believe, a legal clarification. The Irvine Company is willing to deed the acre and a half of land to the City in lieu of paying the Building Excise Tax on the dwelling units. Cost factors relative to this recommendation would show an advantage to the City. If the Excise Tax were assessed, it would derive approximately \$85,000. The land value, based on economic studies and analyses, would indicate that the 14 acres would be worth \$130,000, thereby being a \$50,000 advantage to the City should we accept The Irvine Company proposal.

I'm not sure, however, whether we can legally accept land in lieu of the building excise tax fund, since that fund is to be utilized for parks, fire stations and libraries. I think the PB & R Commission would like to know prior to their June 1st meeting if there would be any legal restrictions to accepting this Irvine Company offer.

May I please hear from you prior to that time?

CALVIN C. STEWART

CCS:th

cc: Phil Bettencourt
Joe Devlin
Larry Wilson ✓

AFFIDAVIT OF PUBLICATION

NEWPORT HARBOR ENSIGN

STATE OF CALIFORNIA } ss.
County of Orange }

I, ARVO E. HAAPA, being first
duly sworn, and on oath depose and say that I am the
printer and publisher of the Newport Harbor Ensign, a
weekly newspaper printed and published in the City of
Newport Beach, County of Orange, State of California,
and that the NOTICE OF PUBLIC HEARING

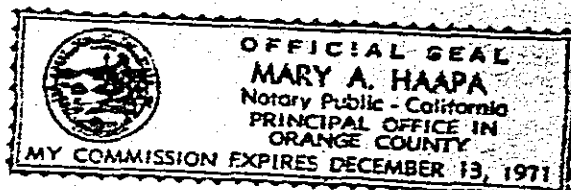
_____ of which
copy attached hereto is a true and complete copy, was
printed and published in the regular issue(s) of said
newspaper, and not in a supplement, 1 consecu-
tive times: to-wit the issue(s) of

May 20, 1971

(Signed) Arvo E. Haapa

Subscribed and sworn to before me this 31st day of
May, 19 71

Mary A. Haapa
Notary Public in and for the
County of Orange, State of California.



LEGAL NOTICE

NOTICE OF PUBLIC HEARING
Notice is hereby given that
the Planning Commission of the
City of Newport Beach will hold
a public hearing on the applica-
tion of The Irvine Company for
Amended Use Permit 1494 on
property located on the south-
west corner of Pacific Coast
Highway and Jamboree Road,
north of proposed realigned
Bayside Drive (Promontory
Point) to permit construction
of a 536 unit apartment house
complex.

Notice is hereby further given
that said public hearing will be
held on the 3rd day of June
1971, at the hour of 5:00 P.M.
in the Council Chambers of
the Newport Beach City Hall,
at which time and place any
and all persons interested may
appear and be heard thereon.
Don R. Addison, Secretary
Newport Beach City
Planning Commission
Published: May 20, 1971, in
The Newport Harbor Ensign.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of the City of Newport Beach will hold a public hearing on the application of

The Irvine Company

for a ☐ Variance ☒ Amended Use Permit 1494

on property located ~~xxx~~ on the southwest corner of Pacific Coast Highway and Jamboree Road, north of proposed realigned Bayside Drive (Promontory Point) to permit construction of a 536 unit apartment house complex

Notice is hereby further given that said public hearing will be held on the 3rd day of June 19 71, at the hour of 8:00 P.M. in the Council Chambers of the Newport Beach City Hall, at which time and place any and all persons interested may appear and be heard thereon.

Don R. Adkinson, Secretary
Newport Beach City
Planning Commission

Publication Date _____
Received for Pub. _____
By Don Adkinson

May 7, 1971

TO: COMMUNITY DEVELOPMENT DEPARTMENT

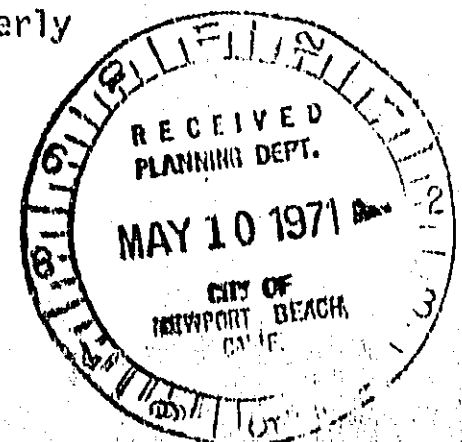
FROM: Public Works Department

SUBJECT: USE PERMIT 1494 REVISED, PROMONTORY POINT APARTMENTS

RECOMMENDATION:

It is recommended that the application be approved subject to the following conditions:

1. That a resubdivision, tentative map, and parcel map be filed prior to issuance of building permits.
2. That utility and street improvements be constructed as required in conjunction with the resubdivision; and appropriate surety and agreements provided guaranteeing completion of the improvements.
3. That private streets conform to the city's Private Street Policy, with the geometric design and structural section to be approved by the Public Works Department.
4. That the location and design of connections to public streets be approved by the Public Works Department.
5. That a traffic signal and related channelization be installed at the developer's expense at the connection with Coast Highway, with the design to be approved by the City Traffic Engineer.
6. That either a pedestrian overcrossing or a fully-actuated pedestrian signal be provided by the developer on Bayside Drive at the beach-marina location, with the design of such a signal to be as approved by the City Traffic Engineer.
7. That the grading plan contain an interim protection element specifically designed to prevent erosion and siltation problems during the grading work.
8. That consideration be given to providing vehicular access to the shopping center parking area from the easterly entrance to the development on Bayside Drive.



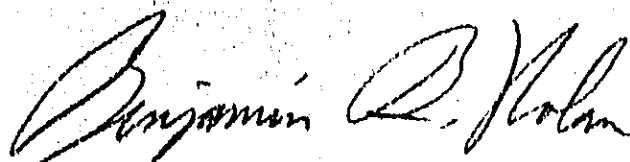
May 7, 1971

Page Two

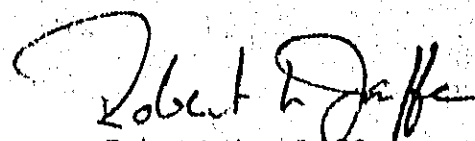
Subject: Use Permit 1494 Revised, Promontory Point Apartments

COMMENTS:

1. Three professional traffic engineers, Mr. Jaime Drachman, Mr. Robert Crommelin, and Mr. Robert Jaffe have previously reviewed the Promontory Point development. Their conclusions were that the development would not create any serious or unusual traffic problems. The traffic engineers concur in that the creation of the new signalized intersection with Coast Highway will not significantly reduce the vehicular capacity of Coast Highway. This is so because the capacity of Coast Highway is already limited by the large number of conflicting movements at Jamboree Road, Bayside Drive, and Dover Drive.
2. Some of the advantages of the present plan over the previous plan are indicated below:
 - a. Provision for continuous open space and park area extending from the Coast Highway entrance to Bayside Drive.
 - b. Provisions for view areas from the internal street system.
 - c. Elimination of the units fronting on Bayside Drive reduces the number of drive approaches on Bayside Drive.
 - d. Elimination of the units fronting on Bayside Drive results in a landscaped slope facing Bayside Drive rather than the previous almost continuous "wall of buildings."



Benjamin B. Nolan
City Engineer



Robert L. Jaffe
Traffic Engineer

CITY OF NEWPORT BEACH
POLICE DEPARTMENT

May 7, 1971

TO: J. L. Parker, Captain
FROM: W. H. Blue, Lieutenant
SUBJECT: PROPOSED PROMITORY POINT APARTMENTS

Sir:

In considering the possible law enforcement problems that might arise out of the proposed Promitory Point Apartments, I ascertained the following information:

- I. Anticipated population - 1,126.
- II. The roads within the complex will be private and should require no traffic enforcement.

On the south side of Bayside Drive, under the proposed realignment, parking will be allowed. It is unknown at this time whether the parking will be timed or not.

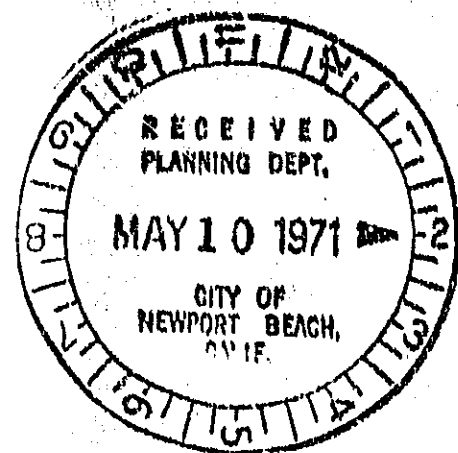
- III. There will be three points of ingress and egress.

A. At the Coast Highway between Bayside and Jamboree this will be a completely activated signalized intersection, also being completely channelized. The peak volume for one hour as projected.

- 1. L/H turn from W/B Coast Highway entering complex - 285
- 2. L/H turn from complex entering W/B Coast Highway - 55
- 3. R/H turn from complex entering E/B Coast Highway (no conflict) - 187
- 4. R/H turn from E/B Coast Highway entering the complex (no conflict) - 81

B. Bayside Drive, east end of complex.

- 1. R/H turn from W/B Bayside Drive entering the complex - 17



PROPOSED PROMITORY POINT APARTMENTS - CONT'D. Page 2.

2. L/H turn from complex entering onto E/B Bayside Drive - 13

3. L/H turn from E/B Bayside entering the complex - 0

C. Bayside Drive, west end of the complex.

1. R/H from complex entering onto W/B Bayside - 43

2. L/H turn from W/B Bayside Drive entering the complex - 68

3. L/H turn from the complex entering onto E/B Bayside Drive - 0

There should be no conflict on Bayside Drive as it will be a four lane highway with a left turn lane.

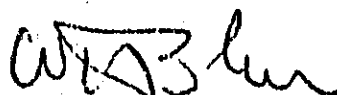
IV. Due to the proposed Marina and small beach across Bayside Drive, Public Works is requesting either pedestrian bridge or a pedestrian and vehicle signal on Bayside between the east and west entrances.

V. Public Works is suggesting consideration for an additional entrance between the complex and the shopping center. I concur with the suggestion in that it will relieve somewhat the congestion that would be caused by persons coming out onto Bayside Drive from the complex and driving a very short distance to turn into the shopping center.

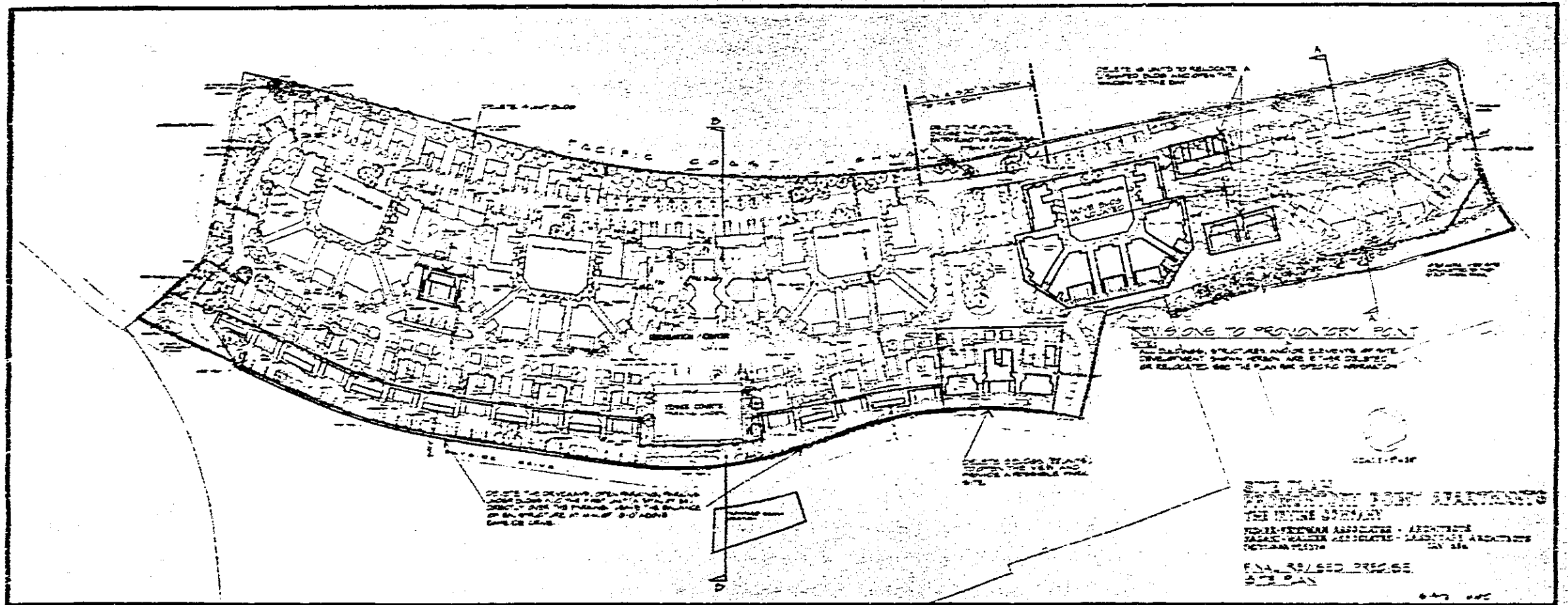
The entrance onto Coast Highway is necessary to relieve Jamboree and Bayside and at the same time to maintain the necessary green time on the Coast Highway. In order to achieve this and maintain a proper level of safety this intersection must be signalized.

It is anticipated that this apartment complex will create additional traffic problems but the volume will not be enough to require additional manpower.

Respectfully,



W. H. Blue, Lieutenant



April 30, 1971

Planning Commission
City of Newport Beach
3300 Newport Boulevard
Newport Beach, California

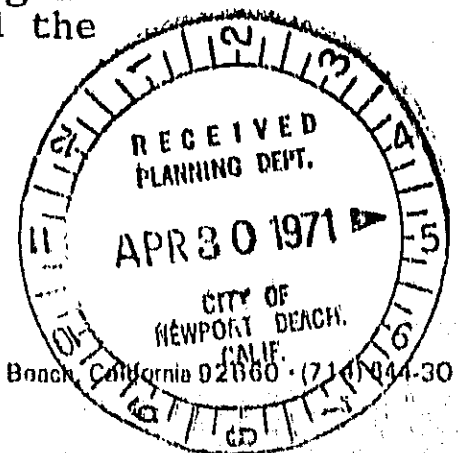
Gentlemen:

SUBJECT: Use Permit No. 1494
Promontory Point Apartments

Submitted, herewith, is an amended Use Permit application relative to the proposal of The Irvine Company to develop multi-family dwellings on approximately 30 acres of property herein referred to as Promontory Point. The revised plan has attempted to consider the concerns voiced by both citizens of the adjacent community as well as members of the City government during the course of several months of public hearings before the Planning Commission and the City Council of the City of Newport Beach.

The original Use Permit No. 1494 was denied by the Planning Commission on January 5, 1971. The Irvine Company subsequently appealed the decision to the City Council. The Council, in turn, ultimately took no action on the appeal of the Company but instructed the Company to resubmit the application together with any amendments it so desired to the Planning Commission.

The present plan constitutes a decrease in density of 84 dwelling units, or from the original 620 to a proposed maximum of 536 units. Other changes include the elimination of units previously located on new Bayside Drive. Other units have been eliminated at strategic points of the site which have allowed the creation of an approximate 300 foot wide vista corridor through the center of the project allowing the motorist traveling on Pacific Coast Highway an opportunity for a significant view of the lower bay, Balboa peninsula and the Pacific Ocean.



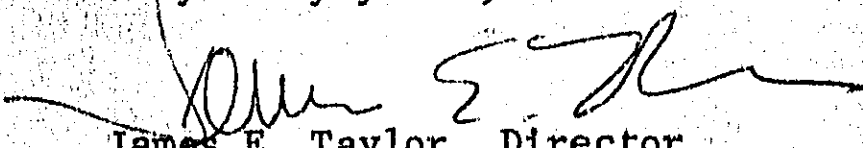
Planning Commission
April 30, 1971
Page 2

The amenity features included on the original application have been retained to include such items as the .3 acres vista park located at the easterly end of the proposed project, the public easements over the site providing for pedestrian and bicycle paths, the private beach located on the south side of Bayside Drive adjacent to the proposed Promontory Bay lagoon, and the internal recreation facilities to serve the residents of the development. Similarly, documentary information relative to parking and traffic has been provided.

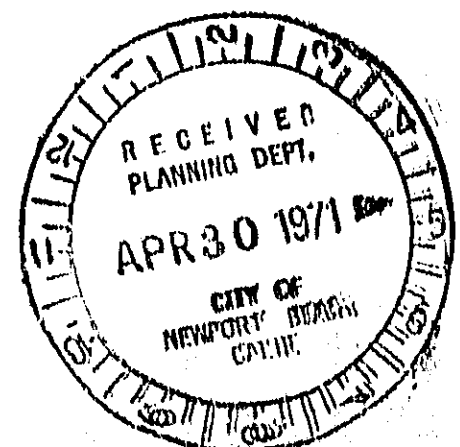
The Irvine Company is confident that the modifications made to the plan will be considered by the Planning Commission as responsive to the points of concern disclosed during past hearings; that it will serve to meet an existing demand for this type of housing and will be a positive addition to the community of Newport Beach.

A representative of The Irvine Company will be present at the public hearing to answer any questions that you may have regarding this matter.

Very truly yours,


James E. Taylor, Director
General Planning Administration

JET/jmd



NOTES TAKEN BY LAURENCE WILSON DURING FINAL PORTION OF
JOINT MEETING OF CITY COUNCIL AND PLANNING COMMISSION
Tuesday, March 2, 1971, Multipurpose Room, Mariners' Library

Meeting reconvened by Mayor Ed Hirth

Inasmuch as there was some question of the propriety of holding an executive session to discuss methods for coordination between the City Council and the Planning Commission concerning zoning and development issues (such as Promontory Point), no such discussion was held.

Motion by Councilman Parsons:

"Mr. Mayor, I move that the Mayor appoint a committee consisting of three Councilmen, and request that the Chairman of the Planning Commission appoint a committee of three Planning Commissioners, to meet as a joint committee with the Council members to discuss procedures."

All ayes (by vote of both the City Council and Planning Commission).
Motion is carried.

The following members of the Planning Commission are appointed:

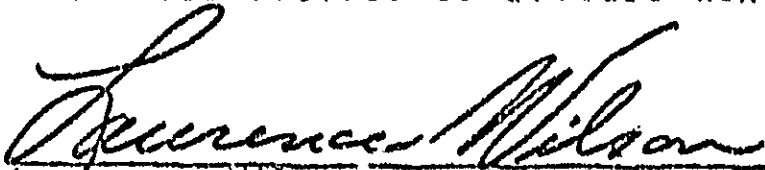
Chairman Jakosky
Commissioner Watson
Commissioner Dosh

The following members of the City Council are appointed:

Mayor Hirth
Councilman McInnis
Councilman Parsons

Meeting adjourned at 9:55 P.M.

Committee retires to discuss next action.



Laurence Wilson, Acting Assistant Community Development Director
March 2, 1971

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

McINNIS
KYMILA
ROGERS
HIRTH
CROUL
DOSTAL
PARSONS

ROLL CALL

March 8, 1971

INDEX

Motion
Ayes

x x x x x x x

2. The appointment of temporary help in the Community Development Department to assist in the planning functions was authorized, with total cost not to exceed the surplus monies within the currently authorized salary budget for the combined Planning and Building Departments.

Comm
Dev
Dept

Motion
Ayes

x x x x x x x

3. On the recommendation of the Civic Center Building Committee to pass along to the architect at this time the proposed Civic Center space requirements, as amended, with instructions that they be used as a guideline and with the realization that there will be certain variations to be worked out with the architect and the staff, the amended Civic Center space requirements, as presented, were approved.

Civic
Center

Motion
Ayes

x x x x x x x

4. The Council rescinded the action taken two weeks ago, and Use Permit 1494 (Promontory Point) was returned to the Planning Commission to allow the applicant to submit modifications to the original plan for reconsideration.

Promon-
tory
Point

The meeting was adjourned to an Executive Session to discuss personnel matters.

The meeting reconvened with all members present.

Mayor Hirth declared the meeting adjourned at 12:20 A.M. to 5:30 P.M., Tuesday, March 16, 1971 to receive the City Clerk's Certificate of Canvass as to the results of votes cast on March 9, 1971 in the Special Municipal Election.

Special
Election

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

ROLL CALL

February 22, 1971

INDEX

MCINNIS
KYMILA
ROGERS
HIRTH
CROUL
DOSTAL
PARSONS

Motion Ayes	x	x	x	x	x	x	x	2. A report prepared by the Drug Abuse Strike Force of the Orange County Criminal Justice Council dated December, 1970 and entitled "New Approach to Drug Abuse" and draft of a recommended letter stating the Council's official position on the report were tabled.	Drug Abuse
Motion Ayes	x	x	x	x	x	x	x	3. Resolution No. 7375, authorizing the execution of an agreement between the City of Newport Beach and Union Bank for banking services, was adopted after the reading of the resolution was waived by unanimous consent of the Council.	One Bank- One Acct R-7375
Motion Ayes	x	x	x	x	x	x	x	4. The Mayor's appointment of Councilman Kymila and Mayor Hirth to serve on the Promontory Point Planning Committee with two Planning Commissioners and a representative of the Balboa Island Improvement Association was confirmed.	Promon- tory Point Planning Cmte
Motion Ayes	x	x	x	x	x	x	x	CURRENT BUSINESS: 1. A letter from Patrick O'Connor regarding dedicated street end pedestrian walk to property at 920 E. Ocean Front, Lot 25, Block 14, Balboa, was referred to staff for report to include similar lots in the area and to come back at the next meeting. Patrick O'Connor spoke briefly on the matter. 2. A letter from William Blurock & Partners, on behalf of "Sherman Foundation," owners of property surrounded by Coast Highway, Dahlia, Fernleaf and Third Streets in Corona del Mar, requesting abandonment of the alley in the interior of said block was referred to staff for study and report; and the staff was directed to notify the utility companies of the proposed abandonment. 3. A letter from C. J. Bonner Corporation requesting an eave encroachment on Lot 182, Tract 907, at 101 San Remo on Lido Island was presented with a report from the Public Works Director. Clark Bonner, owner of the property, spoke from the audience. An aerial encroachment of second story eaves into Via San Remo on Lido Island was approved subject to the approval of the Lido Isle Community Association and with a hold-harmless agreement with the City for the eave overhang.	Ocean Front Dedicated Street



FILE.

CITY OF NEWPORT BEACH

CALIFORNIA

7240

City Hall
8300 Newport Blvd.
(714) 873-2110

February 19, 1971

Mayor E. F. Hirth
City of Newport Beach
Newport Beach, California

Dear Mayor Hirth:

At its study session on Thursday, February 18, 1971, the Planning Commission discussed the proposal to form a special committee of two Councilmen, two Planning Commissioners and a representative of the Balboa Island Improvement Association for study of a total plan for the Promontory Point and Balboa Wharf areas.

Members of the Commission had various questions and misgivings about the efficacy of such a committee under the circumstances.

If the City Council believes that the Irvine Company should be given an opportunity to amend the proposed development plan for the Promontory Point area as presented under Use Permit Application Number 1494, such amendments could be discussed with City staff and subsequently readvertised for public hearing before the Planning Commission.

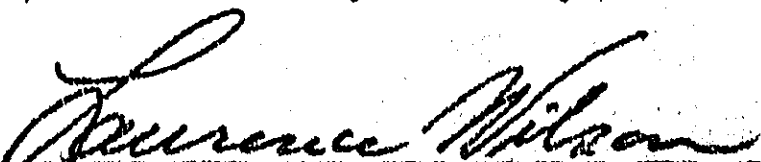
If no amendments are forthcoming, the previous development proposal should be denied, or withdrawn, so that it will not remain pending while discussions of appropriate future land use are proceeding.

In the opinion of the Commission, any transfer of information from the Council to the Commission based on public hearing before the Council should take place in a public joint meeting of both bodies, if the pending application is to remain open.

Very truly yours,

John J. Jakosky, Chairman
Newport Beach City Planning Commission

By


Laurence Wilson

Assistant Community Development Director

CITY OF NEWPORT BEACH

APPLICATION TO APPEAL DECISION OF THE PLANNING COMMISSION

Variance No. _____ Use Permit No. 1494 Amendment No. _____

The Irvine Company

Name of Appellant

550 Newport Center Drive, Newport Beach, Calif. 92660

644-3011

Address

Phone

Appealing Planning Commission decision of (date of meeting) January 5, 1971
 regarding application of (if same as Appellant, write Same) Same
 for (description of application filed with Planning Commission) Approval of Use Permit
Application No. 1494, a request to permit construction of a 620 unit
apartment house complex.

Reasons for Appeal: See Attached

FOR OFFICE USE ONLY

Date Appeal filed and Administrative Fee
received: Jan 19, 1971

Public hearing set for 7:30 P.M.

Feb 8, 1971

Horish H. King, Deputy
 City Clerk

Richard A. Reese 1/18/71
 Signature of Appellant Date
 Richard A. Reese
 Vice-President, Planning

cc: Appellant
 Planning
 File

(Complete and distribute after public hearing)

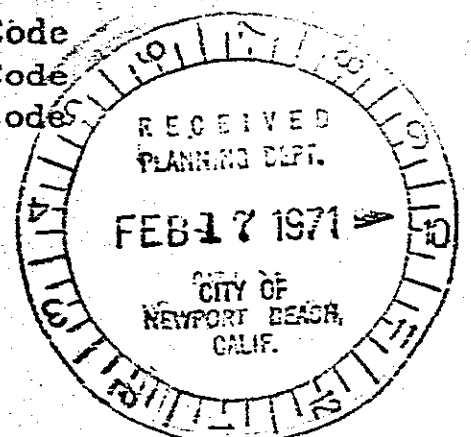
COUNCIL ACTION

See Attached

cc: Appellant
Planning

Laura Legas 2-16-71
 City Clerk Date

Use Permit Appeal Fee \$75.00 - Sec 20.46.070 Municipal Code
 Variance Appeal Fee \$75.00 - Sec 20.48.060 Municipal Code
 Zoning Amendment Appeal Fee \$75.00 - Sec 20.54.050 Municipal Code



Re: Application to Appeal Decision of the Planning
Commission -- Use Permit No. 1494

REASONS FOR APPEAL:

The Planning Commission has denied appellant a use permit for a use (1) which is in conformance with the master plan of land use approved by the City of Newport Beach on July 18, 1963, (2) which was reviewed by the Commission with no indication of disapproval when the Commission approved a related Use Permit #1466 in May 1970, (3) which embodied all conditions proposed by the Commission and the staff during the course of application, and (4) which is in furtherance of the public health, safety, peace, comfort, convenience and general welfare of the City of Newport Beach.

The Irvine Company Appeal Use Permit No. 1494

Council Action:

The matter was referred back to the Planning Commission, without prejudice, for study of a total plan for all that area between the Coast Highway and the bay, using as guidelines the major points in the Newport Tomorrow Residential Goals Committee's Report regarding future development, and to explore the following possibilities: (1) Windows to the bay, (2) Increasing the amount of publicly accessible open space, (3) Softening the visual impact of structures on the site as viewed from Bayside Drive, (4) Further minimizing the effects of traffic generated by the project, (5) Points raised in January 11 staff report on public access and vista points to Promontory Bay; as well as to come up with answers to some of the questions raised in The Irvine Company letter dated February 3. The Mayor was directed to appoint two Councilmen to serve on a committee with two Planning Commissioners and a representative of the Balboa Island Improvement Association so that ideas and information could be passed on directly from the Council to the Planning Commission.

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

REGULAR COUNCIL MEETING

Place: Council Chambers

Time: 7:30 P.M.

Date: February 8, 1971

ROLL CALL

INDEX

Present	x	x	x	x	x	x	
Absent							x
Motion				x			
Ayes	x	x	x	x	x	x	
Absent							x

Roll Call:

The reading of the Minutes of the Regular Meeting of January 25, 1971 was waived, and said Minutes were approved as written and ordered filed.

HEARINGS:

1. Mayor Hirth opened the public hearing regarding the appeal of The Irvine Company from the decision of the Planning Commission denying Use Permit No. 1494, a request to permit construction of a 260 unit apartment house complex on portion of Block 94, Irvine's Subdivision, located on the southwest corner of Pacific Coast Highway and Jamboree Road, north of the proposed realignment of Bayside Drive (Promontory Point).

Promontory Point

A report from the Planning Director regarding the findings of the Planning Commission was presented with letters opposing the proposed Promontory Point development from Alan L. Blum, Ruth Blum and the Board of Directors of the Woman's Civic League of Newport Harbor.

The City Clerk stated that a letter had been received from The Irvine Company stating that certain matters in connection with Promontory Point development remained unresolved, and requesting the City Council to return Use Permit No. 1494 to the Planning Commission for deliberation and response on said matters. She also stated that in addition to the letters listed on the agenda, there had been received thirty-two protest letters and fifteen protest telegrams.

Jim Taylor, Director of Planning for The Irvine Company, spoke regarding the seven key elements as mentioned in the letter above.

The following people spoke from the audience protesting high density use on Promontory Point: Dr. S. R. Nord, Colonel Franklin, Joe Mariscal. Harvey Pease, Mrs. Herbert Gocke, Joe Arnold; Tom Houston, President of the Balboa Island Improvement Association; Dr. Robert Hendricks, representing the Irvine Homeowners Association; Brooks Bernard, Secretary of Breakers Drive Association and Tom Hyans, President of the Central Newport Beach Com-

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

MCJINNIS
KYMILA
ROGERS
HIRTH
CROUL
DCSTAL
PARSONS

ROLL CALL

February 8, 1971

INDEX

munity Association. Carroll Beek spoke from the audience regarding the possibility of using an underpass across the Coast Highway. Traffic Engineer Robert Jaffe gave a brief staff report.

The hearing was closed.

Planning Director Larry Wilson gave a brief report on the Master Land Use Plan.

The matter was referred back to the Planning Commission, without prejudice, for study of a total plan for all that area between the Coast Highway and the bay, using as guidelines the major points in the Newport Tomorrow Residential Goals Committee's report regarding future development, and to explore the following possibilities: (1) Windows to the bay, (2) Increasing the amount of publicly accessible open space, (3) Softening the visual impact of structures on the site as viewed from Bayside Drive, (4) Further minimizing the effects of traffic generated by the project, (5) Points raised in January 11 staff report on public access and vista points to Promontory Bay; as well as to come up with answers to some of the questions raised in The Irvine Company letter dated February 3. The Mayor was directed to appoint two Councilmen to serve on a committee with two Planning Commissioners and a representative of the Balboa Island Improvement Association so that ideas and information could be passed on directly from the Council to the Planning Commission.

RECESS for ten minutes was declared by Mayor Hirth.

The Council reconvened with all members present except Councilman Parsons.

Mayor Hirth welcomed members of Boy Scout Troop No. 79 who were in the audience.

2. Continued public hearing in connection with Ordinance No. 1371, being,

AN ORDINANCE OF THE CITY OF NEWPORT BEACH ADOPTING A SPECIFIC PLAN TO ESTABLISH A SIGHT PLANE DEFINING THE MAXIMUM PERMITTED HEIGHT OF STRUC-

Civic Center

Council Meeting Date Feb. 8, 1971

Council Agenda Number B-1

CITY OF NEWPORT BEACH

February 4, 1971

TO: City Council
FROM: Planning Commission
SUBJECT: Use Permit Application No. 1494

Request to permit construction of a 620 unit apartment house complex.

LOCATION: Portion of Block 94, Irvine's Subdivision located on the southwest corner of Pacific Coast Highway and Jamboree Road, north of the proposed realignment of Bayside Drive (Promontory Point).

ZONE: Unclassified

APPLICANT: The Irvine Company, Newport Beach

OWNER: Same as applicant

Recommendation

This application was considered by the Planning Commission at public hearings on November 5 and December 3, 1970 and January 5, 1971. In addition to the 22 letters and 14 telegrams received at the final hearing on January 5, 1971, many earlier letters had been received regarding this proposed development. The overwhelming majority of these letters and telegrams expressed opposition.

The Planning Commission discussed this proposed use permit at great length and during the discussion it was recommended that if approved, the conditions of approval as recommended in the attached staff report dated January 5, 1971 be amended and changed as follows:

No. 5 - Add (a) That public access to these private streets be irrevocable.

No. 7 - Add (a) A grade separation be commenced prior to January 1, 1973.

No. 19- Change - There shall be no obstructions projecting above the south curb elevation of East Coast Highway within a triangle bounded by Jamboree Road, the easterly end of the south property line, and a line projecting s.w. from the intersection of East Coast Highway and Jamboree Road, at an angle to

FILE

TO:

City Council - 2.

be determined by the Planning Director,
that will encompass the view of the
Pavilion.

After hearing all the testimony at this third public hearing, a
motion for approval failed to carry, therefore the application was
denied:

RESULTS OF ROLL CALL VOTE FOR APPROVAL:

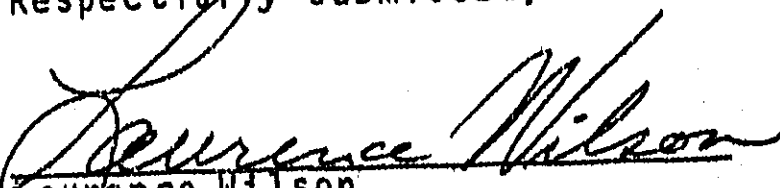
Ayes: Watson, Glass
Noes: Jakosky, Dosh, Adkinson, Brown
Absent: Martin

Attachments:

The following items are attached for your information:

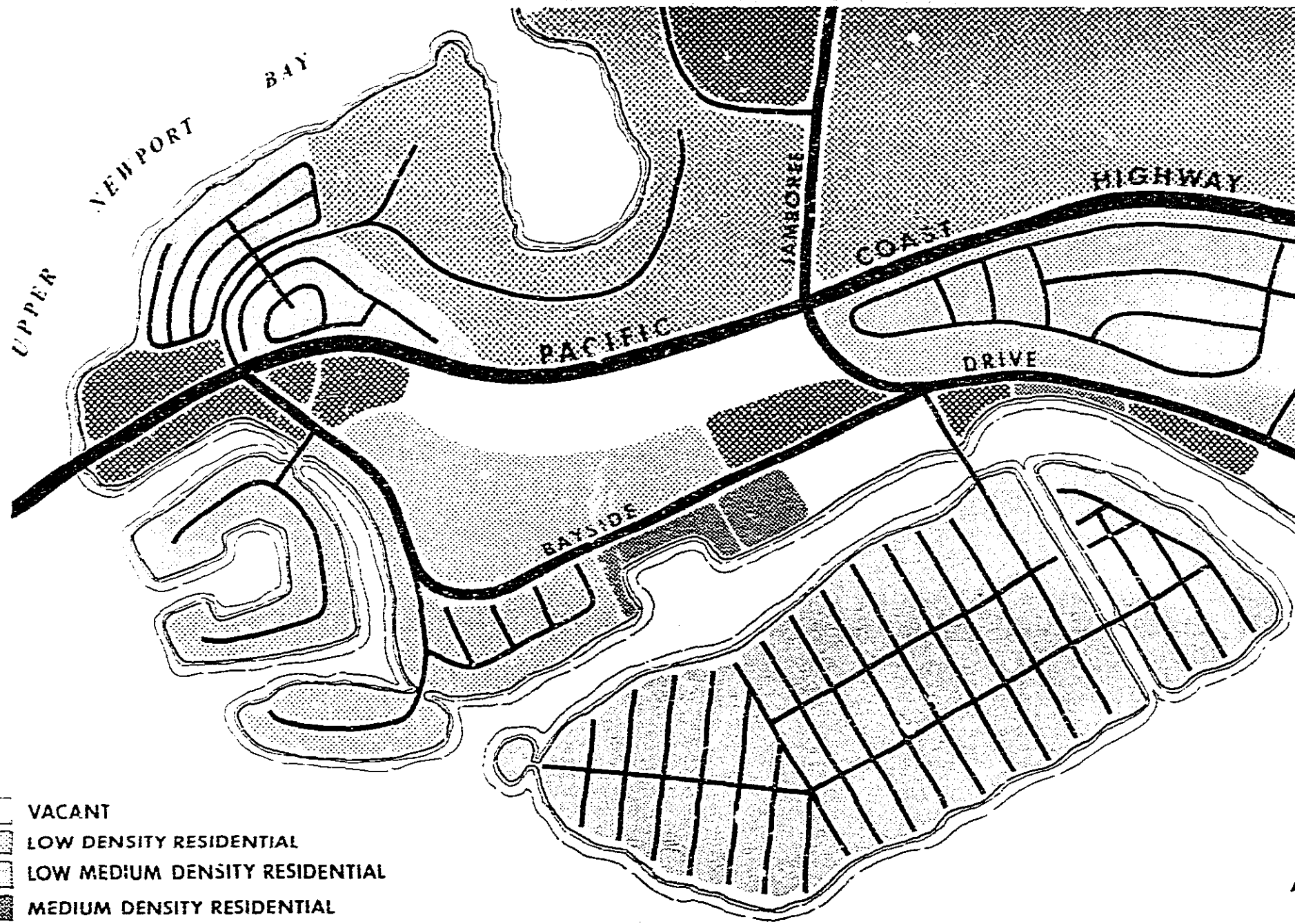
1. Planning Commission staff report dated November 4, 1970
(with attachments).
2. Planning Commission staff report dated January 5, 1970
(with vicinity map).
3. Planning Commission Minutes of November 5, 1970.
4. Planning Commission Minutes of December 3, 1970.
5. Planning Commission Minutes of January 5, 1971.
6. Letters from J. D. Drachman Associates dated
November 2 and November 5, 1970.
7. Memorandum from the City Manager dated January 11, 1971
(with attachments).
8. Letter from Robert Crommelin and Associates dated
January 11, 1971 (Consultant Traffic Engineer for
the Balboa Island Improvement Association).

Respectfully submitted,


Laurence Wilson
Planning Director

LW:hh

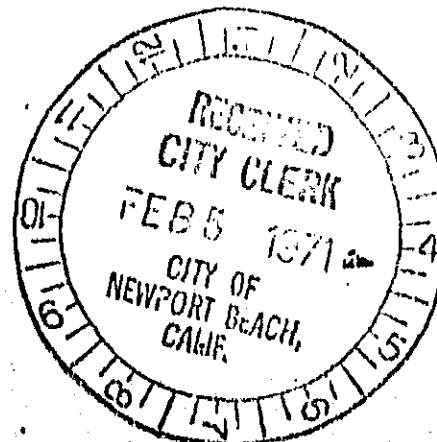
Additional Attachment: Final Revised Precise Site Plan Map
(Council Members Only)



GENERAL LAND USE
CITY OF NEWPORT BEACH

Planning

February 3, 1971



City Council
City of Newport Beach
3300 Newport Boulevard
Newport Beach, California

Gentlemen:

USE PERMIT APPLICATION NO. 1494

The Irvine Company has filed an appeal of the decision of the Newport Beach Planning Commission regarding Use Permit Application No. 1494.

The application is a request for permission to construct a 620 unit apartment house complex on 30 acres of property at Promontory Point, bayward of East Coast Highway and west of Jamboree Road.

At a special meeting held Tuesday, January 5, 1971, the Planning Commission denied the application in a 4-2 vote.

It is a decision that urgently requires clarification. It has left us uncertain about what course we should take with regard to the development of our Promontory Point property.

Specifically, these are the matters that remain, in our view, unresolved:

1. Land Use

The proposal, as submitted and later revised, is in accord with the city's adopted (1963) master plan for the area. Its only major departure from the master plan's requirements is a positive one: The density of the proposed development is less than one-half the allowable density. At no time prior to or during three public hearings held on Use Permit Application No. 1494 did the city indicate to The Irvine Company that the land use designated by the master plan was no longer acceptable. As recently as May 1970, the

FILE

Planning Commission was asked during discussions of Promontory Bay whether it had any questions concerning the anticipated multi-family development of Promontory Point. There were none. As a consequence of this implied concurrence with the master plan's land use designation, The Irvine Company proceeded in good faith to complete planning and engineering studies based on the existing master plan. This involved a company expenditure in excess of \$178,000. To what extent can those studies now be applied to the 30 acre site in question? The answer depends on whether or not the Planning Commission's majority decision constituted a rejection of the existing master plan's designated land use of the property. If it did, what is the acceptable land use and why?

2. Project Design

The location of the site in a planned community area, the nature of the site's surrounding developments, its long, narrow dimensions and its view of the bay provided the planning and economic bases for the project design submitted with Use Permit Application No. 1494. Commercial, industrial and single family residential development appeared to be inappropriate, and the Planning Commission issued no collective or majority opinion to the contrary during its lengthy deliberations. There is, then, the likelihood that it was the project design itself that was not acceptable to the commission majority. If that was, in fact, the case, we do not know in what respects the design, significantly modified from the original submittal, remained unacceptable. We would like to know precisely what the present design's shortcomings are, in order to determine whether it can be further revised to the city's satisfaction.

3. Circulation

Virtually the entire testimony offered by the public against the project during Planning Commission hearings centered on its alleged detrimental impact on Balboa Island. Fears were expressed that the project would intensify the island's existing and obvious parking and traffic problems. Testimony by traffic experts, however, indicated the apartment complex would be so designed that little, if any, impact would be felt on Balboa Island. This was attested

to by the city traffic engineer, by Irvine Company consultants and by the Balboa Island Improvement Association's own consultant. Nevertheless, the Planning Commission majority appeared to yield to the traffic concerns of the Balboa Island residents. Evidently, the plan's traffic circulation and parking provisions still seemed inadequate. What provisions would be realistically adequate for the site? We would like to know the city's views on this so we can make the appropriate adjustments in our plans for the property.

4. A Window to the Bay

In response to concerns expressed by the city's Parks, Beaches & Recreation Commission and by members of the general public, The Irvine Company has modified its present plans for Promontory Point to provide a "window to the bay." The open space now provided in the site design, coupled with a discipline in the treatment of landscaping, will preserve a vista from the intersection of Jamboree Road and East Coast Highway that encompasses a view of the bay and the Pavilion on Balboa Peninsula. In the light of the Planning Commission's decision on the entire project, where does this major site design modification now stand? Is it the city's expectation that the "window to the bay" will remain, even though the design of which it is an integral part has been rejected? This is a subject the Planning Commission did not address itself to during the final hearings on Promontory Point, and we are, as a consequence, without guidance.

5. Recreational Amenities

Incorporated into the total design of Promontory Point are provisions for a private beach area for residents of the 620 unit apartment complex, as well as many on-site recreational amenities. As a consequence, the residents would have an unparalleled opportunity for recreational activities without placing a demand on existing overtaxed city facilities. In addition, the original design has been revised so that it now includes a series of public access points and pedestrian and bicycle paths leading to designated vista points. Is this joint public-private recreational concept acceptable to the city? If not,

what modifications in that concept would be acceptable? We would like to know what they are so we may consider whether their economic burden can be supported by any future proposed use of our property.

6. Neighborhood Heterogeneity

The development of a homogeneous or single style of housing, particularly the single family residence, is a major contributor to the sterile environment of so many neighborhoods today. It is an environment that is often characterized as urban sprawl. The Irvine Company for some years has worked with the City of Newport Beach in holding back that sprawl through the planning and development of heterogeneous neighborhoods comprising a balanced variety of housing types and other life style opportunities for as wide a cross-section of the population as the market will allow. The Promontory area--Bay and Point--lends itself to a continuation of this developmental philosophy. The alternative, in terms of housing, is transformation of the entire area into a single family residential compound, with all the exclusivity and limitations on public access implicit in such a homogeneous development. Is this alternative acceptable to the city? Or is heterogeneity still preferred with regard to the Promontory area? The Planning Commission has yet to give The Irvine Company an indication, one way or the other.

7. Master Plan

The purpose of unclassified zoning in the City of Newport Beach historically has been to provide a mechanism by which the city may pass judgment on specific site development proposals. Hence, the use permit procedure. Designs of proposed projects are the subject of consideration, not land use. The land use is established by master plan amendments. That is The Irvine Company's understanding of the process. With that understanding, we proceeded to develop a proposal for Promontory Point that involved the technical issue of design, not the fundamental issue of land use. It was our assumption that the question of land use in regard to the property had been settled by ordinance. We now wonder whether that was a correct assumption. Is it a question that is now to be settled during the course of public hearings on use permit applications? If that is the

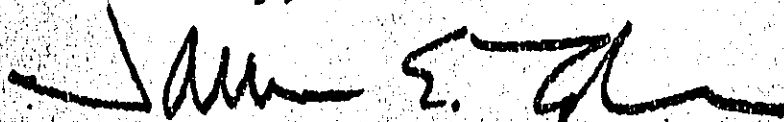
February 3, 1971

case, the concept of master planning for a large neighborhood, or for the city as a whole, is rendered meaningless. The alternative, of course, is to zone by ordinance every parcel of undeveloped land in the city. But that, in turn, would do away with the design controls the city now exercises through the use permit procedure. What is the city's position on this very substantive issue? The implications in the Planning Commission majority's action on Use Permit Application No. 1494 run deep. They need explanation.

The above seven issues are matters of great concern to The Irvine Company. Accordingly, we most urgently appeal to the City Council that it return Use Permit Application No. 1494 to the Planning Commission for deliberation on and response to the questions herein.

Your prompt attention to this appeal would be most appreciated, for we are now without guidelines at Promontory Point, and our holding costs continue to mount.

Sincerely,



James E. Taylor, Director
General Planning Administration

eb

**CITY OF NEWPORT BEACH
CALIFORNIA**

January 20, 1971

The Irvine Company
550 Newport Center Drive
Newport Beach, California 92660

Your appeal from the decision of the Planning Commission denying Use Permit No. 1494 has been set for hearing on February 8, 1971.

As you know, Council meetings commence at 7:30 P.M. and are held in the Council Chambers of the City Hall. Hearings are usually the first matters on the Council agenda.

Laura Lagion
City Clerk

dg

cc: Planning Department

CITY OF NEWPORT BEACH
OFFICE OF THE CITY MANAGER

January 11, 1971

STUDY SESSION
AGENDA ITEM NO. 6

TO: MAYOR AND CITY COUNCIL
FROM: City Manager
SUBJECT: PUBLIC ACCESS & VISTA POINTS - PROMONTORY POINT

As directed by the City Council, the staff has investigated various methods of providing vista areas and view parks in the Promontory Point development, and has come up with the information that is provided in the attached report.

Since this report was compiled, the Planning Commission has taken action to recommend to the City Council that the use permit for the development of Promontory Point be denied. Because of this, the attached study may be rather meaningless. However, we will have the subject of vista areas and view parks on the January 11 study session agenda in order that you might give us further direction.

As you will recall, by Council direction the subject of Promontory Point will come back to the City Council for final action. The staff intends to have that aspect on the City Council agenda on January 25.

HLH:CCS:m

Attachment



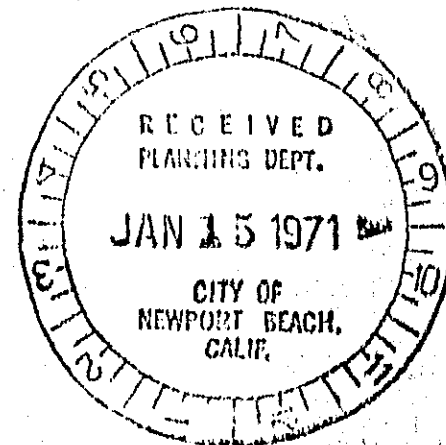
HARVEY L. HURLBURT

ROBERT CROMMELIN AND ASSOCIATES
TRAFFIC PLANNING AND PARKING OPERATIONS AND SAFETY ENGINEERS

17000 VENTURA BOULEVARD ENCINO, CALIFORNIA 91436 TELEPHONE (818) 788-8670

January 11, 1971

Mr. Lawrence Wilson, Planning Director
City of Newport Beach
3300 Newport Boulevard
Newport Beach, California 92660



Dear Larry;

I thought it would be advisable to clarify one answer which I made to a question from a member of the Newport Beach Planning Commission at their January 5, 1971, meeting. The question pertained to whether the traffic generation of a residential development is directly proportional to the number of dwelling units; i.e., if the number of units is reduced by one-half, will the traffic be reduced by one-half? My answer was that this was my opinion if the character of the units and their occupants remained constant. My answer applied to the thought of reducing the 620 units proposed for Promontory Point by one-half with a corresponding reduction in traffic.

As you know, there is much variation in the traffic generation characteristics of two apparently similar types of developments or even in a single development on a day-by-day basis. Much more research is needed in this subject but findings thus far indicate that the principal parameters involved in determining traffic generation from residential development involve: family size, income, and age mix; dwelling unit size and mix as to number of bedrooms; resident car ownership; availability of mass transportation; and, distance relationships to normal destinations such as work, school, and shopping. All of these items can have an impact upon the traffic characteristics of any type of residential development.

In general, single family residential development has a higher unit traffic generation than does a high density apartment development. Research which I have conducted would indicate that single family developments may generate between 8 and 12 two-way trips per day per dwelling unit; medium density apartments will generate between 6 and 9 two-way trips

Mr. Lawrence Wilson,
Planning Director

Page -2-
January 11, 1971

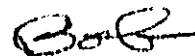
per dwelling unit; and higher density developments will have between 5 and 7 two-way trips per unit. I feel that the principal reason for this variance is the difference in population per dwelling unit. Population is perhaps a better indicator of traffic generation characteristics than is the number of dwelling units itself.

The point which I would like to make is that, because of the higher per dwelling unit generation, the total amount of traffic generated by a single family development could be the same as that developed by a high density apartment complex even though there might be 60 percent fewer single family homes. By my reply, I did not want to mislead the Planning Commission to assume that reducing the number of units in half would reduce traffic volumes by a similar amount in all cases. This would only be true if the character of the development remained constant. As an example, if a 500 unit high density apartment project were reduced in size by one-half the amount of traffic would probably be reduced accordingly; if a 500 unit apartment project were changed in scope to have 250 single family homes with families of similar income and size to those in the apartments, the traffic generation may be reduced by only 15 to 20 percent.

If you feel it would be appropriate, I would appreciate your forwarding this letter to the members of the Planning Commission to clarify my statement.

Best Regards,

ROBERT CROMMELIN & ASSOCIATES, INC.



Robert W. Crommelin, P. E.
President

RWC:b11

CC: Mr. R. L. Jaffe,
Traffic Engineer

1/5/71

SPECIAL MEETING OF THE NEWPORT BEACH PLANNING COMMISSION PROMONTORY POINT

Response of City Traffic Engineer, Robert Jaffe.

Mr. Chairman, I think I would appreciate Dr. Brown rephrasing his question or repeating his questions. "From the point of view of Balboa Island residents, specifically, and their immediate concerns to be considered tonight..I said those seemed to me to be two traffic issues that were raised. There are other issues, but, primarily there are two traffic issues. One is concerned with Balboa Island's perennial problem, particularly in the summertime and that is the problem of parking on the Island. So question number one would be - what effect would this project have on the parking on Balboa Island? The second question has to do with the relationship between this project and traffic access to and from Balboa Island. And I believe both these questions, or represent. The first represents the primary frustration of residents of Balboa Island, has to do not only with density but has to do with the valleys and parking standards and perhaps also large numbers of illegal dwelling units and a few other things. But, I do think that represents a very major frustration to represent the two to residents to Balboa Island. And I think it is important to know in both these questions whether we have sound analysis Are the questions clear?" "Yes" The questions are clear. I think that the questions are related very directly. And, I think there's probably one answer that would serve both questions in my mind. To get to the heart of the matter, if 600 families move into any place within 20 minutes of Newport Beach, the effect will be very similar if Balboa Island remains the pleasant, mystical, wonderful destination it is for so many people. I don't find myself able to discern the difference between having 600 people here

Response of City Traffic Engineer, Robert Jaffe.

(Continued)

Page Two

with their automobiles and having 600 people in, perhaps, the City of Tustin with their automobiles. Mr. Chairman, I think I have been corrected. It's 600 families. I think that the point is clear that the number of people that are liable to arrive is going to be significantly larger than the number of families that might move into the immediate environs. This is all I am trying to say. And I think everybody agrees Balboa Island has its parking problems and its traffic problems. I think it gave me some pleasure to hear Bob Crommelin suggest that the Drachman Report was substantially in order as I indicated to you in one of the previous meetings. There are three experts now who say, including Drachman himself, ^{that} the Drachman Report is pretty good. I can't disassociate the growth of traffic on highway from any development in the whole area and sticking strictly to traffic engineering I can't make a case against this development unless I make a similar case against any further development, single family or multiple family, it's a growth problem which encompasses the entire area and not just Newport Beach, but anything within what various individuals would call convenient travel distance. I, like Mr. Crommelin, perhaps can't paint the bleak picture that some people would wish to be painted. I see it in a little different dimension and I find it very difficult to associate it specifically with one particular development. I am going to stick to my original summary, I don't think this particular development, when viewed by itself, offers the complication to Bayside Drive or the bridge or the Island and the residents of that island wish that I would say it did and this is as I

Response of City Traffic Engineer, Robert Jaffe

(Continued)

Page Three

see it. I think I am in a very uncomfortable position of discharging a responsibility to you, the Commission, by giving you the best professional opinion I can.

"Mr. Jaffe, I wonder if you would be kind enough to comment on the question that Mrs. Beak raised, that in the event that the traffic was another way, do you foresee any need for an overpass or an underpass to allow ingress-egress to this proposed development."

I think we covered this point last time. I believe the underpass would certainly improve the situation immensely. I don't know whether The Irvine Company can find it possible to build it. There are certain costs. I think the additional cost is not one that the City could absorb and whether The Irvine Company could or could be obliged to, I don't know. I think you'll have to ask The Irvine Company for that, other than the fact that we can all agree completely that it certainly would improve the conditions at that entrance. No question about it. Mr. Brown made the following statement at this point. The last time, when we discussed the question of an underpass, the problem that was raised was the one of the freeway and both its location and its doubt about when. My own reaction to this is that Coast Highway represents a very major problem. I have a feeling that if there isn't an underpass and there isn't a freeway and there isn't widening, if there isn't something, then this particular development in this particular place is going to represent a very substantial piece of bottleneck under overloaded conditions. Now I think the real point is, what happens under various circumstances. Coast Highway cannot just get overloaded, remain overloaded and get more and more overloaded. Something is going

Response of City Traffic Engineer, Robert Jaffe

(Continued)

Page Four.

to happen here and if it isn't a freeway, what is it? Can you give us some picture of what the hopes are. Cause I'm afraid it may be many years before Coast Highway is solved. And that's really my own reservation with respect to the effect either on Balboa Island or anybody else the traffic is that intersection right there." Mr. Brown, there is absolutely no way in the world of answering that question. The problem is going to get worse, and worse and worse and it's going to relate to all of hundreds and thousands of people that are moving into the coastal area. And that's all there is to it. The only way we can solve the problems of this nature is with; there are two methods. One is to try to cope with the problem by enlarging the facility the other is to completely remove the problem by not having any people. And I leave it to you.

Mr. Jaffee, could you bring us up-to-date on the states time table on the construction of the freeway if the March issue does not have any particular effect on the states planned time table. To the best of my knowledge, there's been no public disclosures of schedule other than what we knew before and that was to say that if everything were proved and if a freeway were to be build it would be in the nature of seven to ten years, something in that magnitude, maybe two or three years earlier. It's hard to say five to ten years before the freeway would be available to serve us. It's a very mysterious thing because as you know nothing is being discussed in that realm. The previous schedule probably still holds and the earliest it could be built, if

1/5/71

Response of City Traffic Engineer, Robert Jaffee

(Continued)

Page Five

We knew it was going to happen, and everybody approved of it, is something like five years.

1/5/71

SPECIAL MEETING OF THE NEWPORT BEACH PLANNING COMMISSION PROMONTORY POINT

Presentation of Mr. Robert W. Crommelin, Consulting Traffic Engineer.

Mr. Chairman, members of the Commission. The Irvine Company utilizes services of Drachman Associates, Consulting Traffic Engineers to analyze the traffic aspects of this particular project. I've reviewed their findings and concur basically in them. The orientation of traffic, primarily to Pacific Coast Highway, would occur because of the general location of the apartments on the property. The traffic generation rates which they used were slightly high, if anything. In looking at their analysis and reviewing it based upon my own experience, I would tend to feel that the traffic impact on Bayside would be much less than the impact upon Coast Highway. Where it would primarily have an affect upon the residents of Balboa Island is the new traffic signal that would be installed on Coast Highway approximately a thousand feet west of Jamboree. A thousand foot spacing is not particularly a good spacing for a signal. If you look at the general area you will notice that it's off center as far as the location of Jamboree and the existing signal down at Bayside. Now this could interfere with true movements on Coast Highway. The report did not seem to account for growth in traffic which will occur, unless a freeway is constructed to divert it. The peak hour volumes utilized in the report were 2,600 vehicles per hour, which I believe had been taken in 1968, the count had been taken. In a 1969, the counts by the City Traffic Engineer, found less than 3,000 or slightly less than 3,000 which is quite an increase in just a very short period. The capacity calculations which I made indicated

Presentation of Mr. Robert W. Crommelin

(Continued)

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that the intersection will be operating just about at capacity on a summer week day and the peak hours would be the evening peak hour that would be critical. Now what happens when that growth does occur, then congestion will develop and this will create additional bottlenecks on Coast Highway which will impact upon the people of Balboa Island and the area in general. There were some traffic design considerations which the staff have brought out in their reports, I would recommend that a consideration given to at least a forty-foot wide entrance, their plan I believe shows 36. You need four lanes at that point even though they may be narrow lanes. But, you need a separate right turn lane out and a left turn lane out and enough capacity to make it easy to turn in, because a very high left turn volumes indicated in the traffic report of their consultant. Regarding parking, the standards which were used were very similar to those contained in a 1963 report for the City of Los Angeles prepared by Wilbur Smith & Associates. These were setup for apartments in Los Angeles which has a Transit System to serve part of its needs. I would tend to feel, perhaps, one thing may be overlooked is the storage of boats and trailers, campers, things such as that, on the property and I am happy to see that the staff recommendation included a review of the parking standards for the development after your chance to see what really is going to happen. I am afraid I can't paint the dire picture that perhaps some people would like to hear. I would express concern about the impact of an intersection upon Coast Highway and feel this is one of the primary concerns from a Traffic Engineering viewpoint. Any questions? "I wonder if I could ask your opinion with or

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Presentation of Mr. Robert W. Crommelin

(Continued)

Page Three

without this development, when will the Coast Highway be at capacity?"
It's there now, well over it. "With or without this development." Yes.
I'd like to ask one question. "As you decrease the number of units, is
the traffic generated in direct proportion to that, for example, if
you would arbitrarily cut the number of apartments in half, would you
expect exactly 50 percent?" Yes. "A reduction in traffic." If the
basic character of the people living there remain the same. Thank you
sir.

COMMISSIONERS

CITY OF NEWPORT BEACH

Special Adjourned Planning Commission Meeting
 Place: Oral Arts Room, Corona del Mar High School
 Time: 7:00 P.M.
 Date: January 5, 1971

MINUTES

INDEX

ROLL CALL

	Jakosky	Watson	Dosh	Adkinson	Brown	Glass	Martin
Present	x	x	x	x	x	x	x
Absent							x

EX-OFFICIO MEMBERS

Laurence Wilson, Planning Director
 Tully H. Seymour, City Attorney
 Benjamin B. Nolan, City Engineer

STAFF MEMBERS

James D. Hewicker, Planning Director
 James E. Nuzum, Senior Planner
 Helen Herrmann

Chairman Jakosky advised the audience that in connection with the two items on the agenda, the Commission was in receipt of a letter dated December 31, 1970 from the Irvine Company requesting that Item 2. - Amendment No. 271 (Balboa Wharf) be withdrawn and asked Planning Director Wilson to read the subject letter into the record. On motion of Commissioner Watson, seconded by Commissioner Brown and unanimously carried, Amendment No. 271 was withdrawn.

Chairman Jakosky stated further that since the public hearing on December 3, 1970 the applicant had submitted additional information in connection with Item 1, which would now be discussed.

Item 1.

Request to permit construction of a 620 unit apartment complex.

Location: Portion of Block 94, Irvine's Subdivision, located at the southwest corner of Pacific Coast Highway and Jamboree Road, north of the proposed realignment of Bayside Drive (Promontory Point).

Zone: Unclassified

Applicant: The Irvine Company, Newport Beach

Owner: Same as applicant.

USE
 PERMIT
 NO. 1494

DENIED

Jakosky
Watson
Dosh
Adkinson
Brown
Glass
Martin

Planning Director Wilson handed Chairman Jakosky 22 letters and 14 telegrams received that day and Chairman Jakosky stated he would read the names of the senders into the record. Letters received prior to this date had already been distributed to members of the Commission. Chairman Jakosky noted that most of the letters and telegrams objected to the Balboa Wharf development and suggested that Promontory Point be zoned R-1.

Telegrams were received from the following:

Mr. & Mrs. John Graves, 121 Diamond, Balboa Island
Raymond Dunning, taxpayer at 305 Apolena, Bal. Is.
Virginia Traphagen and Sara Traphagen (no address)
Mr. & Mrs. Joseph Rosener, Jr., 125 Via Venezia, N.B.
Margaret M. Holloman, taxpayer, 118 Coral, Bal. Is.
Mr. & Mrs. Albert A. Sandberg (no address)
W. G. Barkemcyer, owns property at 135 N. Bay Front
Elizabeth Williams, taxpayer at 317 Apolena, Bal. Is.
Mr. & Mrs. David L. Chandler and Carol Smith (no address)
James C. Maupin, Balboa property owner
Dr. & Mrs. Paul Pernworth (no address)
Mrs. Lonnie M. Dunn, 3 Collins Island, Npt. Bch.
Mrs. Donald Sloper (no address)
Mr. & Mrs. William L. Stabler, (no address)

Letters were received from the following:

William L. O'Bryon, Chairman Bayshores Comm. Assn.
T. E. Hyans, President, Central Newport Beach Community Assn.
R. H. Maxson and Margaret E. Maxson, 115 Pearl Ave.
Gertrude & Harold Wellman, property owners, 221½ Diamond
Mrs. R. C. Baker, Jr., property owner, 203 Garnet St.
William A. Ion, 208 Amethyst Ave., Balboa Island
Dr. Joseph H. Stout, Jr., property owner, 112 Jade St.
A. L. Summerson, property owner
Joan Bennett, property owner, 218 Agate Avenue, B.I.
Fyrn Power Arnold, 125 Crystal Ave., Balboa Island
Mrs. Edith Leinau, 324 Amethyst, Balboa Island
Mrs. Lois Brechtel, 116 Topaz, Balboa Island
R. L. Gates, property owner (no address)
Mr. & Mrs. H. Dorkin, 330½ Apolena, Balboa Island
John H. Mathews, 305 Sapphire Avenue, Balboa Island
Fred B. Goodwin, 531 San Bernardino, Newport Beach
Mrs. Flora Bozarth, property owner (no address)
C. T. Griffiths, 221 Crystal Avenue, Balboa Island
Suzy Ficker, 110 - 9th Street, Balboa
Joseph K. Cannell, property owner, 802 South Bay Front
C. O. Harvey, property owner
James T. Capretz, resident of Balboa Island

Planning Director Wilson noted that the Land Use element of the Master Plan had been amended by City Council Resolution No. 5842 on August 26, 1963 showing commercial and multi-residential uses at this location; he also reviewed subsequent actions regarding this site. Assistant Planning Director Hewicker was asked to point out on the site plan the various changes that had been made, including an 0.3 acre park at the east end of the project to be provided by the Irvine Company; Planning Director Wilson noted further that the City Council will consider various possible alternatives for the purchase of a larger park in this area. Other changes and modifications to the plan were reviewed and Planning Director Wilson stated that in view of these changes the staff was recommending that Use Permit Application No. 1494, as amended, be approved, subject to conditions as contained in the staff report.

Mr. James E. Taylor, General Planning Administrator of the Irvine Company addressed the Commission and stated that Planning Director Wilson had pretty well outlined the changes proposed, that they were willing to abide by the staff recommendations and that he was prepared to answer any questions of the Commission.

Chairman Jakosky opened the hearing to persons in the audience and the following persons addressed the Commission in opposition, expressing concern regarding density, traffic, parking and recreational facilities. It was also stated that the development did not conform to the findings of the Newport Tomorrow study and it was the consensus of opinion that this area should be developed in accordance with single family residential standards.

Mr. Tom Houston of 206 Ruby Avenue, President of the Balboa Island Improvement Association displayed charts comparing the density of Balboa Island with the proposed project.

Dr. S. R. Nord, 1009 N. Bay Front, Balboa Island
 C. E. Griffin, 208 Opal, Balboa Island
 G. P. Wiggins, 213 Sapphire, Balboa Island
 Col. S. Franklin, 111 Jade, Balboa Island
 Mrs. Alan Blum, 213 Garnet, Balboa Island
 Peter Leinaw, 324 Amethyst, Balboa Island
 Tom Barrett, 110 Opal, Balboa Island
 Allan Beek, 28 Beacon Bay, Newport Beach
 A. P. Kelso, 207 N. Bay Front, Balboa Island, who

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Martin
 Glass
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 Dosh
 Watson
 Jakosky

read into the record a letter signed by himself and his wife.

Mr. J. Scudder, 145 No. Bay Front
James Page, a student at U.C.I.

Mr. Robert W. Crommelin, Consulting Traffic Engineer representing the Balboa Island Improvement Association addressed the Commission and stated he had read and basically agreed with the Drachman report prepared for the Irvine Company. He stated further that the traffic impact on Bayside Drive would be much less than on Coast Highway -- the main effect on residents of Balboa Island would be the traffic signal 1000 feet west of Jamboree Road. He stated further that he could not paint the dire picture some people would like to hear.

City Traffic Engineer, Robert Jaffe, concurred with the findings of both Mr. Drachman and Mr. Crommelin.

The Commission discussed the application at great length, each Commissioner expressing his views. Commissioner Brown was concerned regarding the effect this project would have on the Island's perennial parking problem, particularly in the summertime, and the relationship between this project and traffic access to and from Balboa Island. Commissioner Glass suggested that if the application were approved, that the following amendments and changes should be made to the suggested conditions of approval.

5(a) That public access to these private streets be irrevocable.

7(a) A grade separation be commenced prior to January 1, 1973.

19. There shall be no obstructions projecting above the south curb elevation of East Coast Highway within a triangle bounded by Jamboree Road, the easterly end of the south property line, and a line projecting southwest from the intersection of East Coast Highway and Jamboree Road, at an angle to be determined by the Planning Director, that will encompass the view of the Pavilion.

Mr. Taylor stated that they would like to respond

Martin
Glass
Brown
Adkinson
Dosh
Watson
Jakosky

to the wording of any additional conditions.

It was pointed out to the people present that the application, whether approved or denied, would be forwarded to the City Council for final determination with the following suggested conditions as amended:

1. That action of the Planning Commission shall constitute a recommendation to the City Council, and final determination of this application shall be decided by the City Council.
2. That approval is limited to that portion of the development lying west of the Coast Highway entrance and Bayside Shopping Center, pending a final determination by the City Council regarding the proposed view park adjoining Pacific Coast Highway and Jamboree Road. If the City Council decides to acquire a public park at this location, a revised site plan incorporating the park and satisfactory public vehicular access thereto shall be referred back to the Planning Commission for further consideration. If the City Council decides not to acquire the park, the initial recommendation of the Planning Commission shall extend to the entire project without further consideration.
3. That a resubdivision and parcel map be filed, prior to issuance of building permits.
4. That utility and street improvements be constructed as required in conjunction with the resubdivision.
5. That private streets conform to the City Private Street Policy.
- 5(a) That public access to these private streets be irrevocable.
6. That precise design and location of all entrances and exits to public streets shall be subject to approval by the Director of Public Works.
7. That a traffic signal shall be installed

Martin
 Glass
 Brown
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 Dosh
 Watson
 Jakosky

at the entrance to East Coast Highway, and all costs including design, purchase, installation, channelization and pavement widening shall be the responsibility of the developer.

7(a) A grade separation be commenced prior to January 1, 1973.

8. That easements providing public pedestrian and bicycle access to the development shall be provided in locations meeting the approval of the Planning Director, and in a manner meeting the approval of the City Attorney.

9. That detailed landscaping plans, including a watering system and schedule for installation, shall be prepared by a landscape architect and shall be subject to approval by the Planning Director. Said landscaping may consist of lawn, trees, shrubbery and other plant materials and shall provide for immediate erosion control and perimeter planting of the entire site. The landscaping and watering system shall be installed in accordance with the approved plan and shall be properly maintained. In the event installation of landscaping is not completed on schedule, the City of Newport Beach may require a reasonable guarantee for completion of said landscaping.

10. That landscaping adjacent to Bayside Drive be designed so that sight distance problems will not be created.

11. That all parking spaces shall conform to City standards, and perpendicular parking spaces abutting a property line or structure shall be provided with wheel stops. All driveways and off-street parking areas shall be paved, and parking spaces shall be properly delineated.

12. That all open and carport parking spaces adjacent to Coast Highway and Bayside Drive shall be screened with plant materials.

13. That all lights shall be shielded or directed so as to confine direct rays to confine direct rays to the subject property.

MARTIN
GLASS
BROWN
ADKINSON
DOSE
WATSON
JAKOSKY

14. That all swimming pools shall be enclosed with fencing as required by the Building Code.
15. That all trash shall be stored in closed containers located within walled enclosures.
16. That all development shall comply with the requirements of the Fire Marshall.
17. That parking be provided for not less than 1,139 vehicles within the area covered by this use permit (ratio of 1.84 parking spaces per dwelling unit), and that not less than 862 of said parking spaces be covered (ratio of 1.39 parking spaces per dwelling unit).
18. That prior to issuance of building permits for the last 100 units, the developer shall provide information to the Planning Commission regarding parking ratios experienced in the occupied portions of the project. The Planning Commission shall review said information and shall determine if additional off-street parking is required, up to a ratio not to exceed two parking spaces per dwelling unit for the entire apartment project. If such additional off-street parking is required, the additional spaces shall be provided in accordance with a plan to be presented to the City and to be subject to approval by the Traffic and Parking Engineer and the Planning Director.
19. There shall be no obstructions projecting above the south curb elevation of East Coast Highway within a triangle bounded by Jamboree Road, the easterly end of the south property line, and a line projecting southwest from the intersection of East Coast Highway and Jamboree Road, at an angle to be determined by the Planning Director, that will encompass the view of the Pavilion.
20. That a beach area, available to residents of the Promontory Point apartments, be provided at Promontory Bay (south of Bayside Drive). Location and design of this facility (including access provisions) shall be subject to approval by the Plan-

January 3, 1971

ning Director after consultation with other officials involved.

21. That a loop connection be provided between streets at the easterly end of the project, adjacent to Jamboree Road.
22. That a building setback of not less than sixty feet be established from Jamboree Road.
23. That identification signs not to exceed forty square feet per face (double faced) shall be allowed at one entrance on East Coast Highway and three entrances on Bayside Drive. Final design, including copy and lighting, shall be subject to approval by the Planning Director.
24. That the developer shall be responsible for all precautionary actions necessary to protect the quality of the waters of Newport Harbor during grading operations, and shall prepare and submit erosion control plans and specifications designed to prevent deposition of sediment.
25. That approval of this use permit shall apply to the area defined by the legal description and boundary map submitted by the applicant. The number of dwelling units shall not exceed 620. Approval is based on Site Plan submitted with the original application; however, the developer shall submit an amended Site Plan for presentation to the City Council, incorporating the foregoing conditions of approval. The Planning Director shall be responsible for determining that all construction and development is in substantial conformance to the amended Site Plan and other conditions of approval.

Commissioner Dosh stated that although well developed and thought out, the project does not belong in this geographic position. He said the land is surrounded by single family homes and there are other areas more readily suitable for this kind of project.

After further discussion by the Commission and remarks by persons in the audience who had pre-

ROLL CALL

January 5, 1971

INDEX

Motion
Second
Ayes
Noes
Absent

x

x

x

x

x

x

x

x

x

viously spoken, the application was recommended for approval by Commissioner Watson, which motion failed to carry, therefore the application was denied.

Mr. James E. Taylor of the Irvine Company thanked the Commission for its patience and consideration during the several months of discussion on the project and said he was pleased that so many residents of the City were interested enough to come out and express their opinions.

On motion of Commissioner Brown, seconded by Commissioner Watson, and carried, the meeting was adjourned.

Don R. Adkinson, Secretary
Planning Commission

CITY OF NEWPORT BEACH

January 5, 1971

TO: Planning Commission
FROM: Planning Department
SUBJECT: Use Permit Application No. 1494

Request to permit construction of a 620 unit apartment house complex.

LOCATION: Portion of Block 94, Irvine's Subdivision located on the southwest corner of Pacific Coast Highway and Jamboree Road, north of the proposed realignment of Bayside Drive (Promontory Point).

ZONE: Unclassified

APPLICANT: The Irvine Company, Newport Beach

OWNER: Same as applicant.

Description

This proposed 620 unit apartment project would occupy a 29.55 acre site bounded by Pacific Coast Highway on the north, Jamboree Road on the east, the Chick Iverson Volkswagen Agency on the west and the proposed realignment of Bayside Drive on the south, except for that area occupied by the Bayside Shopping Center.

On October 30, 1970, plans and a letter of explanation submitted by the applicant were forwarded to members of the Planning Commission. Since that time the Commission has received a site area analysis and typical and isometric cross sections of the major buildings. Testimony also has been received from public hearings held on November 5, 1970 and December 3, 1970.

Previous Applications and Studies

On July 18, 1963, the Planning Commission held a public hearing to consider Master Plan Amendment No. 7 - a proposal to amend the land use element of the Master Plan to show residential and commercial uses in the area bounded by East Coast Highway, Jamboree Road and Bayside Drive. This amendment was approved by Planning Commission Resolution No. 661, and subsequently was adopted by the City Council on August 26, 1963, by Resolution No. 5842.

TO: Planning Commission - 2.

A copy of the map of this Master Plan Amendment is attached, showing designation of different portions of the area for commercial and multiple residential development.

On December 23, 1969, the Irvine Company submitted Use Permit Application No. 1466 and a map showing existing and proposed future development for the area bounded by East Coast Highway, Jamboree Road and Bayside Drive. This application introduced the concept of Promontory Bay and the surrounding single-family residential area, together with realignment of Bayside Drive to run north of the new bay. The map also showed high-density residential development for the Promontory Point area between the realignment of Bayside Drive and East Coast Highway, together with a modest expansion of the existing Bayside Shopping Center. Subsequently the map was revised to designate the area south of the Bayside Drive realignment as Phase 1, and the balance of the area as Phase 2. Action on Phase 1 included not only Use Permit 1466 but also an amendment to the Master Plan of Streets and Highways regarding realignment of Bayside Drive and approval of a tentative subdivision map for property surrounding Promontory Bay. Action at this time did not include Phase 2 of the area indicated on the map accompanying Use Permit 1466.

Comparative Densities of Development

Density of development contemplated under Use Permit 1466 for the entire area comprising Promontory Bay and Promontory Point was significantly lower than the maximum density previously contemplated under Master Plan Amendment No. 7, and the actual plan of development proposed under Use Permit Application 1494 is again lower than the maximum which might be anticipated under the term "high-density residential."

Densities of development for several recently constructed apartment projects are shown in the following table. Information also is shown for the "Versailles on the Bluffs at Newport" project proposed by Scholz Homes on the Cagney property according to the maximum density allowable under the adopted P-C Zone.

<u>Apartment Project</u>	<u>D.U.</u>	<u>Acres</u>	<u>D.U./Acre</u>
Oakwood	715	14	49
South Bay Club	732	16±	45
Park Newport	1,304	49+	27
Versailles on the Bluffs at Newport			
Area 1.	710	16+	43
Area 2.	431	10+	43

TO: Planning Commission - 3.

<u>Apartment Project</u>	<u>D.U.</u>	<u>Acres</u>	<u>D.U./Acre</u>
Promontory Point	620	30±	21

By way of comparison, the maximum density of development presently permitted on Baiboa Island under the R-2 Zone would be approximately 25.8 dwelling units per gross acre, including the area of north-south cross streets and alleys.

Conclusion

Based on previous actions by the Planning Commission and the City Council - particularly Master Plan Amendment No. 7 - the detailed proposal now under consideration under Use Permit Application No. 1494 appears to be a reasonable and proper use and development of the property. Several changes have been made in the development plan since the previous Planning Commission hearings which have resolved problems previously noted. These changes are referred to in the following proposed Conditions of Approval.

Recommendation

It is recommended that Use Permit Application No. 1494, as amended, be approved subject to the following conditions:

1. That action of the Planning Commission shall constitute a recommendation to the City Council, and final determination of this application shall be decided by the City Council.
2. That approval is limited to that portion of the development lying west of the Coast Highway entrance and Bayside Shopping Center, pending a final determination by the City Council regarding the proposed view park adjoining Pacific Coast Highway and Jamboree Road. If the City Council decides to acquire a public park at this location, a revised site plan incorporating the park and satisfactory public vehicular access thereto shall be referred back to the Planning Commission for further consideration. If the City Council decides not to acquire the park, the initial recommendation of the Planning Commission shall extend to the entire project without further consideration.
3. That a resubdivision and parcel map be filed, prior to issuance of building permits.
4. That utility and street improvements be constructed as required in conjunction with the resubdivision.

TO:

Planning Commission - 4.

5. That private streets conform to the City Private Street Policy.
6. That precise design and location of all entrances and exits to public streets shall be subject to approval by the Director of Public Works.
7. That a traffic signal shall be installed at the entrance to East Coast Highway, and all costs including design, purchase, installation, channelization and pavement widening shall be the responsibility of the developer.
8. That easements providing public pedestrian and bicycle access to the development shall be provided in locations meeting the approval of the Planning Director, and in a manner meeting the approval of the City Attorney.
9. That detailed landscaping plans, including a watering system and schedule for installation, shall be prepared by a landscape architect and shall be subject to approval by the Planning Director. Said landscaping may consist of lawn, trees, shrubbery and other plant materials and shall provide for immediate erosion control and perimeter planting of the entire site. The landscaping and watering system shall be installed in accordance with the approved plan and shall be properly maintained. In the event installation of landscaping is not completed on schedule, the City of Newport Beach may require a reasonable guarantee for completion of said landscaping.
10. That landscaping adjacent to Bayside Drive be designed so that sight distance problems will not be created.
11. That all parking spaces shall conform to City standards, and perpendicular parking spaces abutting a property line or structure shall be provided with wheel stops. All driveways and off-street parking areas shall be paved, and parking spaces shall be properly delineated.
12. That all open and carport parking spaces adjacent to Coast Highway and Bayside Drive shall be screened with plant materials.
13. That all lights shall be shielded or directed so as to confine direct rays to the subject property.
14. That all swimming pools shall be enclosed with fencing as required by the Building Code.
15. That all trash shall be stored in closed containers located within walled enclosures.

TO:

Planning Commission - 5.

16. That all development shall comply with the requirements of the Fire Marshall.
17. That parking be provided for not less than 1,139 vehicles within the area covered by this use permit (ratio of 1.84 parking spaces per dwelling unit), and that not less than 862 of said parking spaces be covered (ratio of 1.39 parking spaces per dwelling unit).
18. That prior to issuance of building permits for the last 100 units, the developer shall provide information to the Planning Commission regarding parking ratios experienced in the occupied portions of the project. The Planning Commission shall review said information and shall determine if additional off-street parking is required, up to a ratio not to exceed two parking spaces per dwelling unit for the entire apartment project. If such additional off-street parking is required, the additional spaces shall be provided in accordance with a plan to be presented to the City, and to be subject to approval by the Traffic and Parking Engineer and the Planning Director.
19. That a park area of not less than 0.3 acre be provided at the east end of the project, adjacent to Jamboree Road and Bayside Shopping Center.
20. That a beach area, available to residents of the Promontory Point apartments, be provided at Promontory Bay (south of Bayside Drive). Location and design of this facility (including access provisions) shall be subject to approval by the Planning Director after consultation with other officials involved.
21. That a loop connection be provided between streets at the easterly end of the project, adjacent to Jamboree Road.
22. That a building setback of not less than sixty feet be established from Jamboree Road.
23. That identification signs not to exceed forty square feet per face (double faced) shall be allowed at one entrance on East Coast Highway and three entrances on Bayside Drive. Final design, including copy and lighting, shall be subject to approval by the Planning Director.
24. That the developer shall be responsible for all precautionary actions necessary to protect the quality of the waters of Newport Harbor during grading operations,

TO: Planning Commission - 6.

and shall prepare and submit erosion control plans and specifications designed to prevent deposition of sediment.

25. That approval of this use permit shall apply to the area defined by the legal description and boundary map submitted by the applicant. The number of dwelling units shall not exceed 620. Approval is based on Site Plan submitted with the original application; however, the developer shall submit an amended Site Plan for presentation to the City Council, incorporating the foregoing conditions of approval. The Planning Director shall be responsible for determining that all construction and development is in substantial conformance to the amended Site Plan and other conditions of approval.


LAURENCE WILSON
Planning Director

LW/kk

CITY OF NEWPORT BEACH
OFFICE OF CITY MANAGER

January 4, 1971

TO: MAYOR AND CITY COUNCIL
FROM: City Manager
SUBJECT: PROMONTORY POINT PARK AND VIEW SITES

Recommendation

In order to provide public access to view areas in conjunction with the development of Promontory Point, the Staff has studied a number of alternatives and recommends the following for further consideration:

1. Develop a 1.24 acre park at the easterly end of the development adjacent to Jamboree Road, generally in accordance with Scheme "B" - one of several alternative studies by the Irvine Company.
2. Develop a road accessible to the public, and continuous narrow parkway from Bayside Drive to Jamboree Road, with on-street parking in the view area above the Bayside Shopping Center.
3. Develop a road accessible to the public, from Bayside Drive to the proposed west end view point, with proper turnaround facilities and parking.
4. Develop any combination of Alternatives 1, 2 and 3.
5. Do nothing.

Discussion

In lieu of alternatives 1, 2, 3 and 4, the Irvine Company is willing to provide irrevocable pedestrian and bicycle easements and vista overlooks as indicated on the attached Figure A. The development costs and perpetual maintenance would be provided by the landowner for all such facilities.

TO: City Council - 2.

Alternative Number 1 - View Park at East End (See Figures B and C).

A 1.24 acre park could be acquired and improved at the east end of the apartment project, adjacent to the intersection of East Coast Highway and Jamboree Road. One major building group within the apartment project would be relocated westerly, and a net reduction of approximately 28 dwelling units would result. Although no specific land cost has been determined, nor has the length of time over which the purchase could be made, the Irvine Company has given preliminary indications that they consider the land at Promontory Point to be worth between \$3.50 and \$4.50 per square foot. On that basis, it is estimated that 1.24 acres would cost between \$189,000 and \$243,000. Development costs would be an additional \$35,000. The actual cost and payment period would be determined when and if the City officially agrees to negotiate with the Irvine Company for park and/or view sites. The park would be improved with a small parking lot, automatic sprinkler system, law, walks, view benches, bicycle racks and drinking fountains.

The east end was determined to be a better park location than the west end for the following reasons:

- a. The existing window-to-the-bay from East Coast Highway would be preserved.
- b. The combined open space created by Jamboree Road and the park would provide a vista from the highway.
- c. Vehicular access to the park is more adaptable at the east end.

Alternative Number 2 - Public View Road and Narrow Parkway at East End (See Figure C).

A view road accessible to the public, and narrow parkway, could be provided along the boundary between the proposed Promontory Point Apartments and the existing Bayside Shopping Center. This road and parkway would extend through from Bayside Drive to Jamboree Road. However, only right turns would be permitted at Jamboree Road. On-street parking would be available on the south side of the road adjacent to the view parkway.

The Irvine Company already has proposed a private street in this same general location to serve the apartment project; however, the private street was not proposed to connect to Jamboree Road except by an emergency entrance and exit. Parking spaces and carports for the apartment project would extend along the north side of the private street, and a continuous private parkway would extend along the south side.

TO: City Council - 3.

Development of a road accessible to the public, and view parkway at this location along the boundary of the proposed apartment project, would involve minimum redesign of the internal relationships within the project and would not necessarily require any reduction in number of dwelling units.

Alternative Number 2 would be particularly desirable in combination with Alternative Number 1 and also could help to improve accessibility for emergency vehicles in the easterly portion of the apartment project.

Alternative Number 3 - Public Access Road to Viewpoint at West End
(See Figure C).

Plans of the Irvine Company call for a private street to run north from Bayside Drive at the west end of the apartment project. This road would extend past a vista point and overlook-platform on private property at the top of the bluff immediately above the Chick Iverson Volkswagen Agency. A road accessible to the public could be constructed in this same general location, and the proposed vista point and overlook-platform could also be made available to the public; however, readjustments in the alignment and grade of the road might be necessary, and a turning area would be needed. Additional public parking space and facilities (such as a drinking fountain and park benches) might be necessary.

This vista point and overlook-platform would provide a unique view of both the Lower Bay and islands and Upper Newport Bay and the bluffs. Detailed study of street grades and alignment, as well as turning and parking provisions, would be necessary to determine whether there would be any reduction in the number of dwelling units.

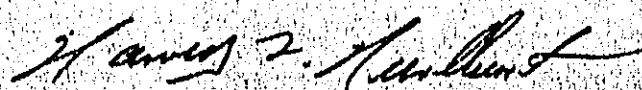
Pedestrian and Bicycle Access to View Locations (See Figure A).

In lieu of the foregoing alternatives, the Irvine Company is willing to provide irrevocable easements for public pedestrian and bicycle access to view point locations contemplated within the Promontory Point Apartment Project. These locations include Alternatives Numbers 2 and 3 as noted above. In addition, the company is willing to allow public access to a proposed small park on private property, adjacent to Jamboree Road and Bayside Drive. This park would have an area of 0.3 acre and would comprise a portion of the area of Alternative Number 1.

In addition to those locations which coincide with the possible public park and/or view point overlooks described under Alternatives 1, 2 and 3 above, the Promontory Point Apartment Project

TO: City Council - 4.

would include additional view point locations - notably in the area in front of the proposed recreation center. Therefore, advantages could accrue to the public if the City can obtain easements which would assure public access and provide a system of pedestrian and bicycle ways, even though vehicles might be excluded. However, such easements primarily would serve persons devoted to walking and bicycling and definitely would not take the place of a public park, view point overlook and scenic drive.



HARVEY L. HURLBURT

h1h/1w/kk

PROPOSED 0.3 ACRE VIEW PARK TO
BE PROVIDED BY IRVINE COMPANY

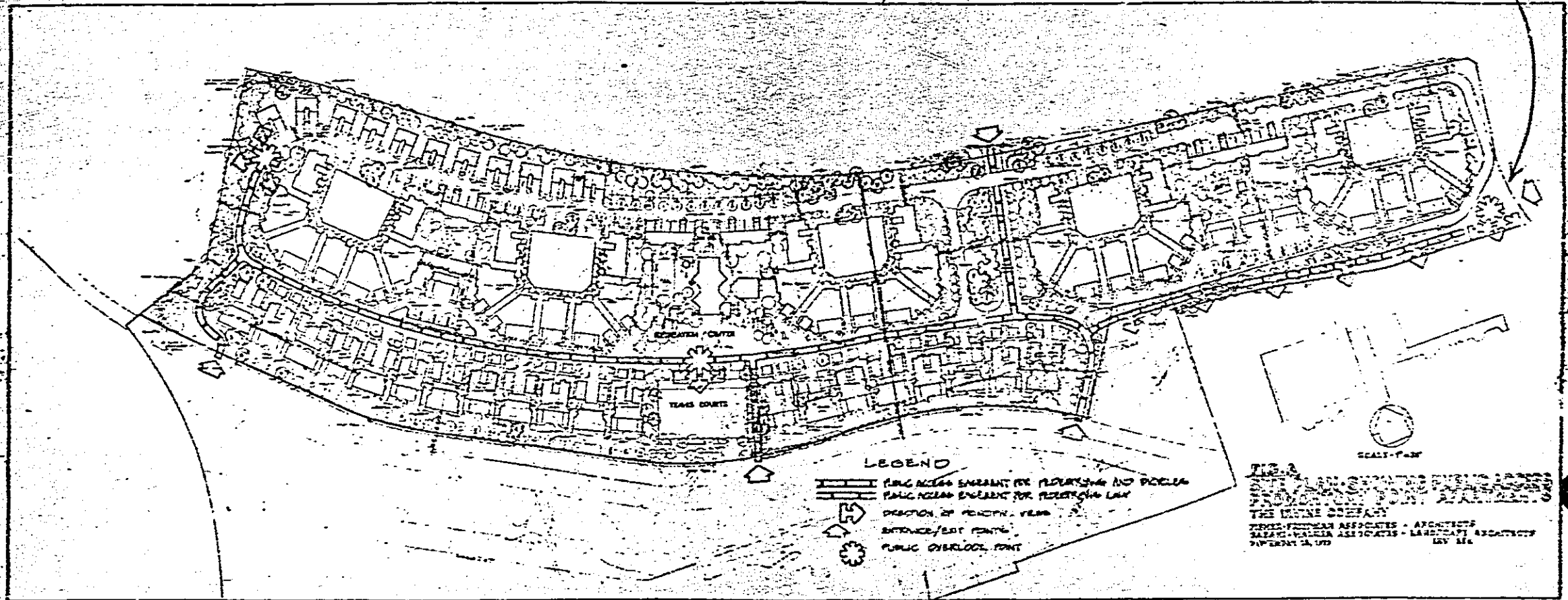
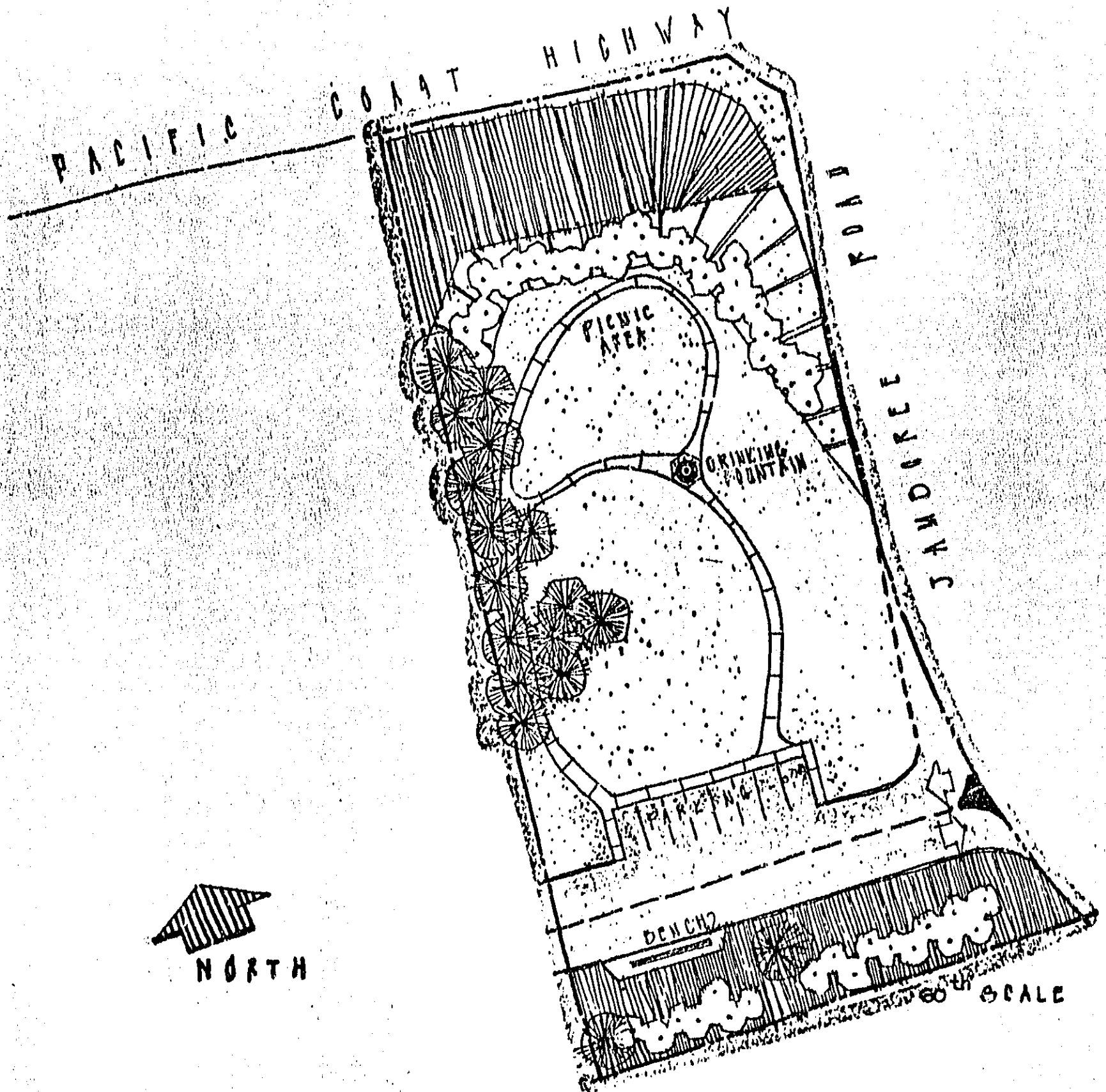
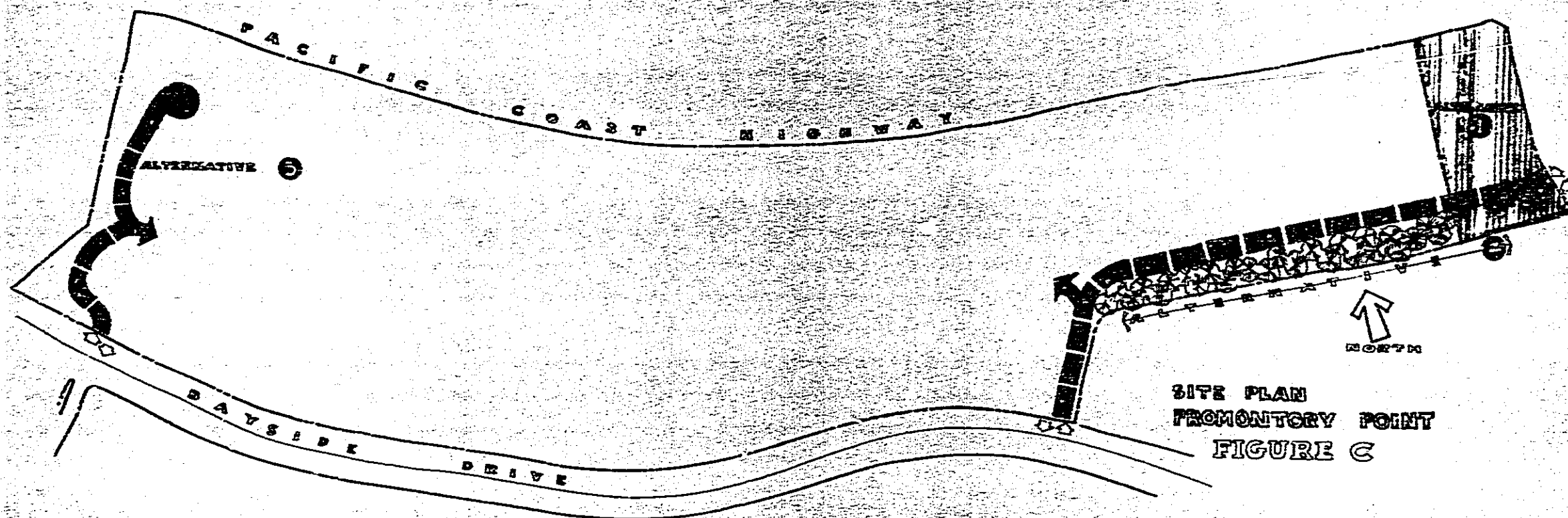


FIGURE B



PROMONTORY POINT
VIEW PARK

1.24 ACRES



AFFIDAVIT OF PUBLICATION
NEWPORT HARBOR ENSIGN

STATE OF CALIFORNIA } ss.
County of Orange

I, ARVO E. HAAPA, being first
duly sworn, and on oath depose and say that I am the
printer and publisher of the Newport Harbor Ensign, a
weekly newspaper printed and published in the City of
Newport Beach, County of Orange, State of California,
and that the NOTICE OF PUBLIC HEARING

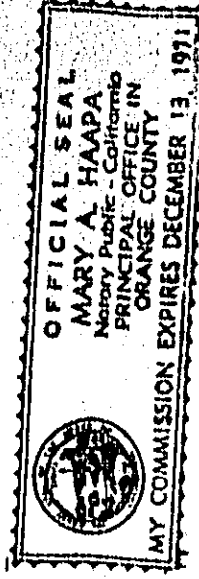
_____ of which
copy attached hereto is a true and complete copy, was
printed and published in the regular issue(s) of said
newspaper, and not in a supplement, 1 consecu-
tive times: to-wit the issue(s) of

Dec. 24, 1970

(Signed) Arvo E. Haapa

Subscribed and sworn to before me this 25th day of
December, 19 70

Mary A. Haapa
Notary Public in and for the
County of Orange, State of California.



LEGAL NOTICE

NOTICE OF PUBLIC HEARING
Notice is hereby given that
the Planning Commission of the
City of Newport Beach will hold
a public hearing on the appli-
cation of the Irvine Company for
a Use Permit No. 1494 on prop-
erty located on the southwest
corner of Pacific Coast High-
way and Jamboree Road, north
of proposed realigned Bayside
Drive (Promontory Point) to
permit construction of a 626
dwelling unit apartment house
complex.

Notice is hereby further given
that said public hearing will be
held on Tuesday the 5th day of
January, 1971, at the hour of
2:00 P.M. in the Oral Arts
Room (Little Theater) Corona
del Mar High School, 2101 East-
cliff Drive, Newport Beach.
Don R. Adkinson, Secretary
Newport Beach City
Planning Commission
Publish: Dec. 24, 1970, in
the Newport Harbor Ensign.

500 - file
Promontory Point
Use Permit

CITY OF NEWPORT BEACH
PARKS, BEACHES & RECREATION DEPARTMENT

December 15, 1970

TO: HARVEY L. HURLEBURT, CITY MANAGER
FROM: Park Superintendent
SUBJECT: PARK DEVELOPMENT - PROMONTORY POINT

As outlined in Cal Stewart's memo to you, dated December 1, 1970, Evan Graves, Landscape Planner, and I have been developing two proposed preliminary site plans for your consideration.

We have discussed both of the possible park sites with Mr. Watt and Mr. McDonald of the Irvine Company. The conversation tended to reconfirm the pros and cons stated by Cal earlier.

Regarding the East end adjacent to Jamboree Road, it should be noted that any future widening of Jamboree Road in conjunction with the proposed freeway would most likely encroach into the park. The land value at the East end would also be higher due to the prime corner location that is afforded.

In addition to providing costs for both park sites, I have included costs for a 2.47-acre site at the East end. This acreage would provide sufficient land necessary to gain access to the park from Pacific Coast Highway.

Land acquisition costs are subject to negotiation between the City and the Irvine Company, and the costs for land acquisition in this report are based on the information received from Mr. Watt of the Irvine Company. Development costs will run approximately \$20,000 per acre.

Based on the information accumulated, the following costs are provided:

I. EAST END ADJACENT TO JAMBORREE ROAD

A. 2.47 acres

1. Land Acquisition

a. \$3.50 per square foot.....	\$ 376,575.50
b. \$4.50 per square foot.....	425,975.50

2. Development..... \$ 49,400.00
 3. Total Costs
 a. At \$3.50 per square foot..... 425,975.50
 b. At \$4.50 per square foot..... 475,375.50

B. 2.00 Acres

1. Land Acquisition
 a. \$3.50 per square foot..... 304,920.00
 b. \$4.50 per square foot..... 392,040.00
 2. Development..... 40,000.00
 3. Total Costs
 a. At \$3.50 per square foot..... 344,920.00
 b. At \$4.50 per square foot..... 432,040.00

II. WEST END

A. Approximately 1.60 acres

1. Land Acquisition (70,000 sq. ft.)
 a. \$3.50 per square foot..... 245,000.00
 2. Development..... 32,000.00
 3. Total Cost..... 277,000.00

Maintenance would cost approximately \$7,000 annually on the proposed park sites.

RCH:h

RICHARD H. HARRISON ✓

cc: Cal Stewart
 Evan Graves

ROLL CALL

December 3, 1970 - 8:00 P.M.

INDEX

Motion
Second
Ayes
Abstain
Absent

Jakosky
Watson
Dosh
Adkinson
Brown
Glass
Martin

Request to construct a four unit residential building in a C-1 District.

Location: Lots 7 and 8, Block 3, East Newport Tract, located at 511 and 513 West Bay Avenue on the south side of West Bay Avenue between Island Avenue and 6th Street.

Zone: C-1

Applicant: Land Evolution Inc., Santa Ana

Owner: Same as applicant

Items 1 and 5 were continued until December 17, 1970 at the request of the applicants.

Item 5.

USE
PERMIT
NO. 1497

CONT'D.
UNTIL
DEC. 17

Request to permit construction of a 620 unit apartment house complex.

Location: Portion of Block 94, Irvine's Subdivision, located on the southwest corner of Pacific Coast Highway and Jamboree Road, north of the proposed realignment of Bayside Drive (Promontory Point).

Zone: Unclassified

Applicant: The Irvine Company, Newport Beach

Owner: Same as applicant.

Planning Director Wilson presented the application to the Commission and suggested that the hearing be conducted in four phases; that the Irvine Company be given an opportunity to describe the proposal to the members of the Planning Commission and other persons interested in the matter; that the City staff comment briefly on the application; that the Planning Commission have an opportunity to question both the applicant and the applicant's consultants and the City staff and that following this, the matter be opened to full public hearing.

Chairman Jakosky questioned the Irvine Company representative regarding the length of their pre-

Item 2.

USE
PERMIT
NO. 1494

CONT'D.
UNTIL
JAN. 5,
1971

Martin
 Glass
 Brown
 Adkins
 Dosh
 Watson
 Jakosky

sentation and stated that he would like to allow equal amounts of time to any particular organized groups, and then to individual home owners.

Mr. James E. Taylor, General Planning Administrator of the Irvine Company indicated they would require 40 minutes and he, and Mr. William Watt, General Manager Multi-Family Development-Management of the Irvine Company addressed the Commission. Mr. Taylor pointed out that multi-family use of the land has been projected for many years and that the City's Master Land Use Plan, amended in 1963, actually calls for multi-family residential and commercial use.

Mr. Watt introduced Mr. Eugene Sage of Sasaki-Walker Associates, Landscape Architects, who displayed renderings and made a slide presentation. Mr. Rod Friedman of Fischer-Friedman, Architects, also addressed the Commission.

Planning Director Wilson distributed to the Commission copies of a traffic study conducted by J. D. Drachman Associates and Mr. Robert Jaffe, City Traffic Engineer, addressed the Commission and stated he concurred with the findings in the study.

Mr. Al Kelso of 207 N. Bayfront, Balboa Island, spoke in behalf of Mr. Tom Houston, President of the Balboa Island Improvement Association, who could not be present at the meeting, and again expressed their concern regarding this development. He yielded to Col. Herring Selim Franklin who stated that while it is true that they requested additional time to make a traffic study, at a meeting of the Board of Directors of the Balboa Island Improvement Association it was decided not to spend additional money as they had had a traffic study prepared by the firm of Williamson & Schmid in 1964, which made projections to 1980, and traffic conditions have increased since that time.

The following persons spoke in opposition, expressing concern regarding traffic, the density of the project, parking ratios, necessity for a view park, an accessible beach, pollution and ecology: Mr. Kiel Burwell, 226 Onyx, Balboa Island, Mr. Alan Beek of Beacon Bay, Mr. Jeff Miller who is not a property owner; Dr. S. R. Nord of North Bayfront, Albert Weil of 214 Garnet, Edward D. Garrett of 323 Amythest, Arthur Joseph Sorch representing the Village Island Association on Balboa Island,

ROLL CALL

December 3, 1970 - 8:00 P.M.

INDEX

Martin
 Glass
 Brown
 Adkins
 Dosh
 Watson
 Jakosky

Peter Lydo of 324 Amythest, George Wood of 115 Apolena, Tom Barrett of 110 Opal, Harvey Pease of 304 Collins, Philip Boyle, Charles Treffner, Mrs. Miriam Gocke, 127 Sapphire, Mr. Tom Crosson 211 Agate, Dennis Paul, Vick Sherreitt of 205 Grand Canal, Arthur Kramer of 1403 No. Bayfront and Rich Leviton.

The Commission discussed the application at great length and after considering all the testimony heard and the ramifications of the proposal, Mr. Taylor was asked if he would like to have the matter continued or if he would prefer to have a "yes" or "no" vote that evening. Mr. Taylor replied that he would like to request a five minute recess so he could discuss this with Mr. Watt; the request was granted.

The Commission reconvened at 12:15 A.M. with all members present and Mr. Taylor requested that this item be continued for 30 days which will afford them an opportunity to meet with the City Council and perhaps resolve the park issue, and also take into consideration the considerable amount of information that was expressed, not only by the Commission, but by the general public.

Upon being questioned regarding Item 3 - Amendment No. 271 (the Balboa Wharf project) Mr. Taylor replied that they would prefer to have this item considered as soon as possible. Planning Director Wilson advised against placing it on the December 17th agenda as that agenda already is quite large and the other items not being discussed this evening will also be placed on that agenda.

A discussion ensued as to when these two items should be heard and it was felt that a special meeting to consider only these two items was desirable and, if possible, a larger place should be secured for the meeting. After further discussion, it was moved that Item 2, Use Permit Application No. 1494 (Promontory Point) and Item 3, Amendment No. 271 (Balboa Wharf) be continued until January 5, 1971 at 7:00 P.M. at a more suitable location, which will be duly published in the newspaper and the property posted.

Due to the lateness of the hour, the following items were continued until the regular meeting on December 17, 1970 at 8:00 P.M., in the City

Motion
 Second
 All Ayes

x

x

Motion
 Second
 All Ayes

x

x

CITY OF NEWPORT BEACH
PARKS, BEACHES & RECREATION COMMISSION

November 19, 1969

E-2 (a) (2)

TO: CITY COUNCIL

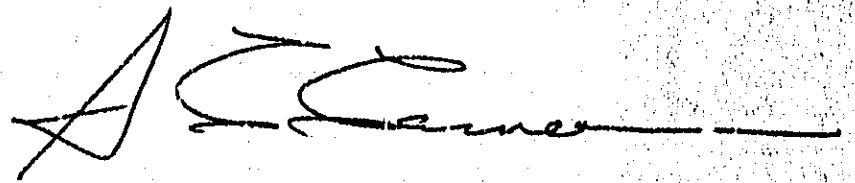
FROM: PB & R Commission

SUBJECT: A WINDOW TO THE BAY AT JAMBOREE ROAD & PACIFIC COAST HIGHWAY

Members of the PB & R Commission are appalled at the way in which windows to the Bay are rapidly disappearing because of new development. Everyone is cognizant of this fact, and for the past ten years, civic leaders have been proclaiming that we should take action to preserve the few remaining windows to the Bay. However, even with this knowledge and concern, each year more of these strategic windows are being closed.

With the activity that is going on at the intersection of Pacific Coast Highway, Bayside Drive and Jamboree Road, it is apparent that the Irvine Company has plans to develop that bluff area in the near future.

The Commission wishes to go on record with the Council and the Planning Commission that when plans are submitted for this area, a scenic drive along the perimeter be utilized as a public window to the Bay. This is such an important window to the Bay, it should be preserved.



A. C. CAMERON, JR., Chairman

cc: Planning Commission

CITY OF NEWPORT BEACH
PARKS, BEACHES AND RECREATION COMMISSION

November 19, 1970

G-7

TO: CITY COUNCIL
FROM: PB & R Commission
SUBJECT: PROMONTORY POINT DEVELOPMENT

As a continuous expression of our concern, the PB & R Commission has again studied Promontory Point and tentatively approved the plan under certain conditions, as per attached memo to the Planning Commission.

However, to reiterate our position, the Commission feels that the City Council should give serious consideration to adjusting the planning of the easterly end of the project to acquire such land as might be feasible to preserve a view of the Harbor Area.

James L. Rubel, Jr.

JAMES L. RUBEL, JR., CHAIRMAN

JLR:h

Attachment

CITY OF NEWPORT BEACH
PARKS, BEACHES AND RECREATION COMMISSION

November 18, 1970

TO: PLANNING COMMISSION

FROM: PB & R Commission

SUBJECT: PROMONTORY POINT DEVELOPMENT

A letter from the PB & R Commission has been sent to the City Council recommending that the Council give serious consideration to adjusting the planning of the easterly end of the Promontory Point Development to acquire such land as might be feasible to preserve a view of the Harbor Area.

If the City Council elects not to take steps to acquire that ground, the PB & R Commission recommends approval of the conditional use permit, subject to the following conditions:

That public easements be granted by the Irvine Company for pedestrian and bicycle access over the central east-west drive as well as the two access drives from that east-west drive to Bayside Drive as well as the main entrance drive from Pacific Coast Highway to the east-west center drive, as well as the drive between the central drive and the northwesterly end of the site. And that appropriate facilities, including benches and overlook points, be provided at the most northwesterly corner of the site, in the area of the central plaza overlooking the tennis courts, and at several points adjacent to the central drive behind the existing Bayside shopping center. In addition, a public easement would be provided for pedestrian access over the walk connecting Bayside Drive and the central plaza area adjacent to the tennis courts.

James L. Rubel, Jr.

JAMES L. RUBEL, JR., CHAIRMAN

JLR:h

cc: City Council
The Irvine Company

CITY OF NEWPORT BEACH
PARKS, BEACHES AND RECREATION COMMISSION

November 18, 1970

TO: PLANNING COMMISSION

FROM: PB & R Commission

SUBJECT: PROMONTORY POINT DEVELOPMENT

A letter from the PB & R Commission has been sent to the City Council recommending that the Council give serious consideration to adjusting the planning of the easterly end of the Promontory Point Development to acquire such land as might be feasible to preserve a view of the Harbor Area.

If the City Council elects not to take steps to acquire that ground, the PB & R Commission recommends approval of the conditional use permit, subject to the following conditions:

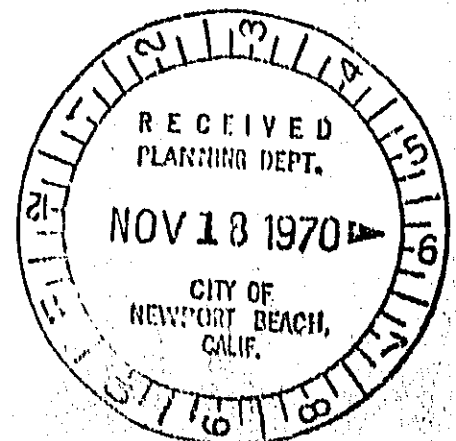
That public easements be granted by the Irvine Company for pedestrian and bicycle access over the central east-west drive as well as the two access drives from that east-west drive to Bayside Drive as well as the main entrance drive from Pacific Coast Highway to the east-west center drive, as well as the drive between the central drive and the northwesterly end of the site. And that appropriate facilities, including benches and overlook points, be provided at the most northwesterly corner of the site, in the area of the central plaza overlooking the tennis courts, and at several points adjacent to the central drive behind the existing Bayside shopping center. In addition, a public easement would be provided for pedestrian access over the walk connecting Bayside Drive and the central plaza area adjacent to the tennis courts.

James L. Rubel, Jr.

JAMES L. RUBEL, JR., CHAIRMAN

JLR:h

cc: City Council
The Irvine Company



ROLL CALL

November 5, 1970

INDEX

MARTIN
GLASS
BYCWN
ADKINSON
DOSE
WATSON
JAKOSKY

Chairman Jakosky stated he appreciated the interest shown by the people in the area and hoped they would be able to find time to attend the meeting on November 19th.

Commissioner Adkinson stated he felt that the request by one of the residents to hold this matter over for six weeks was a fair one.

Mr. Jim Taylor of the Irvine Company stated that he appreciated the comments made and that these are concerns they will consider in their evaluation of the project. However he asked that the letter asking for a continuance until November 19th be honored and that, if necessary, the matter be set over again at that time.

Colonel Franklin, speaking in rebuttal, stated he did not think it would be reasonable to ask residents of the island to come back for a series of meetings. In response to the suitability of a continuance to December 3rd, it was indicated that this would be sufficient time.

Mr. Mel Jackson, who had not addressed the Commission previously, asked if it would be possible to hold the meeting in a larger room as many more people would be present when this item is again discussed.

Commissioner Adkinson moved that the matter be continued until December 3, 1970 in view of the decision of the President of the Balboa Island Improvement Association that that will give them adequate time.

Motion
Second
All Ayes

x
x

Request to permit construction of a 620 unit apartment house complex.

Location: Portion of Block 94, Irvine's Subdivision located on the southwest corner of Pacific Coast Highway and Jamboree Road, north of the proposed realignment of Bayside Drive (Promontory Point).

Zone: Unclassified

Applicant: The Irvine Company, Newport Beach,

Owner: Same as applicant.

Item 8.

USE
PERMIT
NO. 1494

CONTINUED
UNTIL
DEC. 3

Martin
Glass
Brown
Adkinson
Dosh
Watson
Jakosky

Planning Director Wilson outlined to the Commission the particular structure of discussion of this item and Mr. James E. Taylor, General Planning Administrator and Mr. William Watt, Director of the Multi-Family Development Section of the Irvine Company were present at the meeting. Mr. Taylor introduced Mr. Eugene Sage of the firm of Sasaki-Walker, Landscape Architects, San Francisco. This firm has worked on the project with the firm of Fisher-Friedman, also from San Francisco. Mr. Sage explained the design concept to the audience while Planning Director Wilson pointed out each subject on the renderings and maps displayed in the Council Chamber. It was explained that the proposal was for 620 multi-family units on a site of approximately 30 acres, resulting in a density of approximately 20 dwelling units per acre; that it would blend into the community in a way so it would not be out of character but a beautiful development which would be an asset to the community.

Mr. Jaime Drachman, transportation consultant to the Irvine Company on this project, addressed the Commission with respect to the access and circulation. He stated they proposed the optimum solution would be a direct access to Pacific Coast Highway, which would be signalized, and that 81% of all access and egress would be from this point, 15% from the westerly exit on Bayside Drive and 4% from the easterly exit. Mr. Drachman also went into detail with respect to traffic count figures.

Mr. Robert Jaffe, Traffic Engineer for the City of Newport Beach, answered questions of the Commission regarding Mr. Drachman's presentation.

The Commission expressed concern regarding the means of ingress and egress to and from the project, the magnitude of traffic on Pacific Coast Highway, the off-street parking ratio and on-site parking for the number of proposed apartments.

Planning Director Wilson read into the record a letter to the City Council dated November 4, 1970 signed by James L. Rubel, Jr., Chairman of the Parks, Beaches and Recreation Commission which stated in part that the Commission had met on November 3, 1970 and discussed this project at length. They would like to again emphasize the feelings expressed in a letter dated November 19, 1969, in which they stated they wish to go on record with the Council and Planning Commission that when plans are sub-

MARTIN
GLASS
BROWN
ADKINSON
DOSE
WATSON
JAKOSKY

mitted for this area, a scenic drive along the perimeter be utilized as a public window to the bay. The current latter stated further that the Parks, Beaches and Recreation Commission cannot give their approval to this project without this "window to the bay".

The following persons addressed the Commission, Mr. J. F. Mariscal, who inquired if this was to be an adult community and whether it would have walkways; Mr. Arthur Kramer who spoke in opposition; Mr. Tom Houston and Mr. Alan Beek, who requested that this matter be continued until December 3rd. Mr. Hall Seely, Vice Chairman of the Parks, Beaches and Recreation Commission reiterated their concern that their recommendation of a year ago had not been followed and their continuing concern in projects of this nature which allegedly will provide their own recreational facilities.

The Commission discussed this item at great length and it was the consensus of opinion that it should be held over, together with the Balboa Wharf application, as both projects affect a large number of the people of Newport Beach.

Mr. Taylor stated that the Company was in somewhat of a quandry as to the linkage of the two projects, other than that the people living on Balboa Island have expressed an interest in both. Mr. Taylor said he felt they have demonstrated this evening that they have sufficient information to proceed with this development; the reason for requesting a continuation on the Balboa Wharf is that they do not have sufficient information with reference to that particular project.

In conclusion, Mr. Taylor stated that they would appreciate referral of the Parks, Beaches and Recreation recommendation to the City Council as soon as possible and perhaps a comment from the Planning Commission might help speed things up. They have waited for a response based on the letter submitted sometime ago by the Parks, Beaches and Recreation Commission as to some form of public vista, drive or park in this particular location and having no response from the City Council, could only assume the City is not interested in acquiring a public vista. This was discussed with the administrative staff who indicated it was a fine idea but funds were not available. Now the Irvine Company has submitted an application for a proposed development based on existing

ROLL CALL

November 5, 1970

INDEX

Martin
 Glass
 Brown
 Adkinson
 Dosh
 Watson
 Jakosky

Motion
 Second
 All Ayes

x

x

criteria of the City. Perhaps in evaluating the excise tax that will be coming from this project, the City may desire to purchase some property. If this is the case, the earlier they receive a reply, the earlier they can evaluate just exactly where this will occur on the site, and would request that this matter be expeditiously processed at the City Council level. Since there is no City policy which indicates and specifies areas for vista points, the developer can only advocate something and ask the City to react.

After further discussion, Commissioner Adkinson moved that this item be continued until December 3, 1970 and that the letter from James L. Rubel, Jr., Chairman of the Parks, Beaches and Recreation Commission be forwarded to the City Council and that they be asked to give us some specific direction to proceed; should use permit application No. 1494 be approved in principle?

Due to the lateness of the hour (1:00 A.M.) Item 9 - Tentative Map Tract No. 7323 and item 10 - Resubdivision Application No. 289 were continued until November 19, 1970.

Planning Director Wilson called the Commissioners attention to the two letters pertaining to appeals and dates of hearing, as well as the fact that Harbor View Hills Annexation - Phase III is listed on the Council agenda for Monday evening, November 9, 1970.

On motion of Commissioner Watson, seconded by Commissioner Dosh, and carried, the meeting was adjourned.

Don R. Adkinson, Secretary
 Planning Commission

J. D. Drachman Associates
Transportation Consultant
52 Tunnel Road
Berkeley, California
94705
(415) 548-2873

November 5, 1970

The Irvine Company
500 Newport Center Drive
Newport Beach, California 92660

Attention Mr. Maurice McDonald

RE: Promontory Point Residential Development - Analysis
of Parking Demands

Gentlemen:

In accordance with your request, we are pleased to submit this letter report presenting our summary of findings, conclusions, and recommendations on the subject study.

The information contained herein is specifically intended to assist in the presentation and acceptance of the proposed parking element for this planned community to the City of Newport Beach. In this respect, reference is made to a report entitled "Parking Requirements for Multiple Family Dwelling Units" prepared for The Irvine Company by our firm, and dated August 1970. A copy of said report, accompanied by additional surveys conducted on existing Irvine apartment complexes, has been presented to Mr. Lawrence Wilson, Planning Director for the City of Newport Beach.

The above mentioned report was prepared previously in conjunction with the development of Promontory Point Apartments. However, it has been submitted to the City staff for their evaluation, and at their request, with hopes that a recommendation to the Planning Commission and subsequently to the City Council would be made to amend the existing parking standards for the City of Newport Beach.

Because of the necessary time required by the City staff to study and evaluate the results of said report, coupled with the impending development of the Promontory Point residential development site, it is recommended that a variance of parking ordinance be requested for this Promontory Point development

based on the results and recommendations of said parking requirements report.

Recommended Parking Requirements

The results and conclusions of this report have been derived from studies which were not intended to account for the total variance in the parking demand at multiple apartment complexes. As a result, only the unit type was investigated as an independent variable. The great variance in the results clearly indicates that this variable alone does not explain the total variation in parking demand at multiple apartment complexes. Other variables, such as economic status, development size, and family size, may have a significant effect on the study results. However, enough consistency in the results of the studies reviewed is observed to allow some estimates of maximum parking demand. Only in rare instances will parking demand for one bedroom unit exceed 1.50 vehicle per unit or 1.75 vehicle per unit for two bedroom unit. The findings for bachelor and three bedroom units remain inconclusive because of inadequate sampling.

Promontory Point Parking Requirements

Table 1 shows the analysis of the expected parking demands for the proposed Promontory Point residential development.

TABLE 1 - Promontory Point Parking Demand Forecasts

<u>Unit Type</u>	<u>Number Units Proposed</u>	<u>Indicated Max. Parking demand per unit</u>	<u>Total Parking Demand</u>
Bachelor	--	1.50*	--
1 Bedroom	300	1.50	450
2 Bedrooms	320	1.75	560
3 Bedrooms	--	2.00**	--
TOTAL	620		1010

*Because of inconclusive report findings for this category, it is recommended that the higher demand rate of one bedroom units be utilized at this time.

**Because of inconclusive report findings for this category, it is recommended that the higher demand prevailing for the City of Newport Beach existing parking requirements be utilized at this time.

11-5-70

Exhibit 1 shows the location of proposed parking space allocation within the project in excess of the calculated maximum parking demand.

Indicated parking demand - 1010 spaces

Proposed parking supply -

Covered spaces - 620

Uncovered spaces 434

Total Supply 1054 spaces

Ratio of supply/demand = 1.05

As indicated, the proposed development will appropriately provide more than the necessary parking for its daily users. The proposed parking distribution is shown in Table 2. As indicated, maximum walking distances will be in the order of 100 feet with an average walking distance of 76 feet. These short walking distances will further ensure the efficient and effective utilization of the parking spaces provided.

As usual, please be assured that we stand ready to assist you further and at your convenience.

Sincerely yours,

J. D. DRACHMAN ASSOCIATES



Jaime Drachman

JD:d

TABLE 2 - PROMONTORY POINT PARKING DISTRIBUTION

<u>Quantity DU</u>	<u>Parking Location</u>	<u>% of Project</u>
198	Park directly under their unit and walk up one flight of stairs. (Maximum walking distance = approx. 40')	32%
18	Park under their unit and walk up two flights of stairs. (Maximum walking distance = approx. 40')	2%
290	Park in the concrete structure as follows: 50 - Walk through the structure then down one flight of stairs. 95 - Walk through the structure and directly to their unit. 145 - Walk through the structure and up one flight. (Maximum walking distance = approx. 100')	47%
120	Park in adjacent carports as follows: 40 - Walk from the carport and down one flight. 40 - Walk from the carport and directly to their unit. 20 - Walk from the carport and up one flight. 20 - Walk from the carport and up 1½ flights. (Maximum walking distance = approx. 80')	19%
620 DU		100%

CITY OF NEWPORT BEACH

November 4, 1970

TO: Planning Commission
FROM: Planning Department
SUBJECT: Use Permit Application No. 1494
Request to permit construction of a 620 unit apartment house complex.
LOCATION: Portion of Block 94, Irvine's Subdivision located on the southwest corner of Pacific Coast Highway and Jamboree Road, north of the proposed realignment of Bayside Drive (Promontory Point).
ZONE: Unclassified
APPLICANT: The Irvine Company, Newport Beach
OWNER: Same as applicant.

Description

This proposed 620 unit apartment project would occupy all of the vacant land between Pacific Coast Highway on the north, Jamboree Road on the east, the Chick Iverson VW Agency on the west and the proposed realignment of Bayside Drive on the south, except for that area occupied by the Bayside Shopping Center.

On October 30, 1970 plans and a letter of explanation submitted by the applicant were forwarded to members of the Planning Commission. The following additional information is attached:

1. Site Area Analysis.
2. Typical Cross Section of Proposed Major Buildings (Diagram No. 1).
3. Isometric Cross Section of Major Proposed Buildings (Diagram No. 2).

The Irvine Company and its consultants will make a complete presentation of this project at the time of the Planning Commission hearing on Thursday evening, November 5, 1970. This will include explanation of a detailed traffic analysis conducted for the company by J. Drachman Associates, Transportation Consultants.

The Public Works Department has submitted the following recommenda-

FILE

TO:


Planning Commission - 2.

tions:

1. That a resubdivision and parcel map be filed.
2. That utility and street improvements be constructed as required in conjunction with the resubdivision.
3. That private streets conform with the City Private Street Policy.
4. That the width and location of the private street connection to Coast Highway be subject to further review and approval.
5. That landscaping adjacent to Bayside Drive be designed so that sight distance problems will not be created.

The following additional questions have been identified:

1. Possible need for public park, open space, view point or preservation of unobstructed view from the vicinity of Pacific Coast Highway and Jamboree Road toward Newport Bay.
2. Review of ultimate landscaping plans and installations by the Planning Department and/or Commission.
3. Precise design and location of entrances and exits to public streets on perimeter of the project.



Laurence Wilson
Planning Director

LW:hh



CITY OF NEWPORT BEACH

CALIFORNIA

City Hall

3300 W. Newport Blvd.

Area Code 714

673-2110

November 4, 1970

E-2 (a) (2)

Honorable Mayor and City Council
City of Newport Beach
California

Gentlemen:

The Parks, Beaches & Recreation Commission met November 3, 1970 and for about one and one-half hours considered the proposed development of Promontory Point as presented by the Irvine Company.

The Commission would like to again emphasize the feelings expressed in its letter to you dated November 19, 1969 (copy attached). The preservation of a public view at this location was a recommendation of "Newport Tomorrow".

We strongly urge the Council to take some action to secure for public use an area within this project as a view, vista or "window to the Bay". We cannot give the project our approval without one.

We are not able to suggest an exact location or design for this public area, nor can we suggest a means for financing its acquisition. We have only had this one opportunity to examine the project, and we did not feel prepared to make a recommendation on those points with such short notice.

We realize any substantial delay will create hardship on the developer. Hopefully, the developer or the Planning Commission will be able to suggest a site if you support our position.

Very truly yours,

JAMES L. RUBEL, JR., Chairman
Parks, Beaches & Recreation Commission

JLR:h

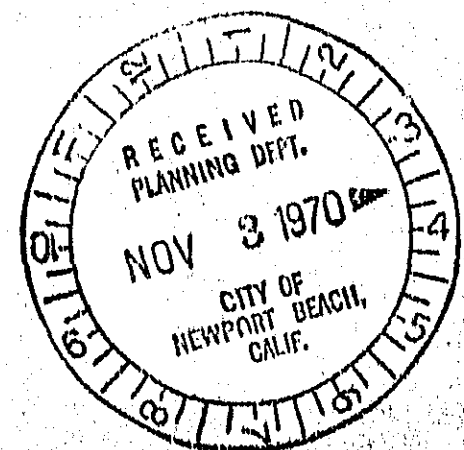
cc: Planning Commission
The Irvine Company

PROMONTORY POINT

SITE ANALYSIS

<u>ITEM</u>	<u>SQ.FT.</u>	<u>ACREAGE</u>	<u>% OF SITE</u>
<u>Buildings</u> including the major recreation facility (ground floor only).	325,500	7.47	25
<u>Covered Parking</u> (Note - Parking under building is included above.)	92,300	2.11	7
<u>Tennis Courts</u>	21,600	0.5	2
<u>Streets</u>	230,240	5.28	18
<u>Driveways</u>	25,300	0.58	2
<u>Open Parking</u> (Note - Some spaces normally open are under building or in the parking structure.)	50,900	1.16	4
<u>Open Area</u>	<u>542,322</u>	<u>12.45</u>	<u>42</u>
TOTAL	1,288,162	29.55	100%

MMcD:d
11/3/70



MASTER PLAN Approved by Planning Commission December 1957

Adopted by City Council January 1958

Master Plan Amendment No. 1 - C.C. Res. 5131 adopted Dec. 14, 1959

Delete from Street & Highway Unit of Master Plan Lancaster Street shown as a secondary street.

Master Plan Amendment No. 2 - C.C. Res. 5224 adopted 4-25-1960

Major, primary, secondary streets, freeways, existing and proposed to be shown and designated on map entitled "Master Plan, City of Newport Beach, California, Street and Highway.

Master Plan Amendment No. 3 - C.C. Res. 5551 adopted Feb. 13, 1962

Amend Master Plan by adding a Planned Community District classification and reclassify the area on the easterly side of the Upper Bay between the Upper Bay and Jamboree Road, bounded on the north by Bayside Drive and on the south by Big Canyon, as a Planned Community District.

Master Plan Amendment No. 4 - C.C. Res. 5581 approved April 25, 1962

Amend Master Plan by adopting an integrated development plan of land use for the area located on the east side of the Back Bay that is being annexed to the City and reclassify the area on the easterly side of the Upper Bay between the Upper Bay and Jamboree Road, bounded on the north by Big Canyon, on the south by Pacific Coast Highway, and on the west by Harry Welch Memorial Park, as a C-0 District and - reclassify the area between Jamboree Road and Mac Arthur Boulevard, bounded on the north by Ford Road and on the South by Pacific Coast Highway, into areas of C-0 District, R-3 District, and C-1 District, as shown on map attached hereto.

Master Plan Amendment No. 5 - C.C. Res. 5734 adopted February 11, 1963

- (1) Reclassify the area located north of Palisades Road, between Mac Arthur Boulevard and Acacia Street from a single family residential classification to an industrial Park classification, as shown on map attached hereto;
- (2) Reclassify the area located north of West Coast Highway and east of the Santa Ana River, shown as Tract 772 on a final subdivision map recorded in the office of the County Recorder of the County of Orange, from an R-3 Multiple Residential classification to a Single Family Residential classification, as shown on the map attached hereto;
- (3) Reclassify the area between West Coast Highway and Newport Harbor, bounded on the west by the County Dock property and on the east by the Balboa Bay Club property, from a C-2 Commercial classification to a C-0-2 Commercial classification, as shown on the map attached hereto.

Master Plan Amendments - Page 2.

Master Plan Amendment No. 6 - C.C. Res. 5747 adopted 3-11-1963

Delete secondary road known as P. E. Right of Way between 32nd Street and the westerly City limits.

Delete secondary road shown on the Banning properties east of Superior Avenue.

Master Plan Amendment No. 7 - C.C. Res. 5842 adopted Aug. 26, 1963

Reclassify the area located between East Coast Highway 101 and Bayside Drive, bounded on the east by Bayside Drive and on the west by Jamboree Road, into areas of C-1-H, C-0-H-UL, R-3-B-2, R-4-B-2-UL and C-N Districts.

Master Plan Amendment No. 8 - C.C. Res. 5889 adopted 11-26-1963

Revise Master Street and Highway Plan subject to the condition that the map show Coast Freeway only adopted by the State and not approved by the City, and that this footnote be in the same size as the largest printing appearing on the map.

Master Plan Amendment No. 9 - C.C. Res. 5903 adopted Jan. 27, 1964

Indicate on Master Plan Map of Land Use the zoning of Annexations 54 and 55.

Master Plan Amendment No. 10 - C.C. Res. 6045 adopted Oct. 26, 1964

Adopt a "Master Capital Improvement Plan" as an element of the Master Plan of the City of Newport Beach, designating the future locations of libraries, fire stations and parks.

Master Plan Amendment No. 11 - C.C. Res. 6187 adopted July 12, 1965

Indicate on Master Plan Map of Land Use the zoning of Annexation No. 57 (Centerview).

Master Plan Amendment No. 12 - C.C. Res 6359 adopted May 23, 1966

Amend Master Capital Improvement Plan to show relocation of school site and proposed neighborhood park.

Master Plan Amendment No. 13 - C.C. Res. 6426 adopted Aug. 22, 1966

Amend Street and Highway Plan showing new alignments, additions, street name corrections and classification changes.

Master Plan Amendments - Page 3.

Master Plan Amendment No. 14 - C.C. Res. 6713 adopted March 11, 1968

Amend Street and Highway Plan to include Fifth Avenue as a secondary arterial roadway.

Master Plan Amendment No. 15 - C.C. Res. 6713 adopted March 11, 1968

Amend Street and Highway Plan to classify MacArthur Boulevard between East Coast Highway and San Joaquin Hills Road as a primary arterial (4 lanes; divided).

Master Plan Amendment No. 16 - C.C. Res. 6713 adopted March 11, 1968

Amend Street and Highway Plan to classify Hospital Road and Placentia Avenue between Superior Avenue and Newport Boulevard as a secondary road connecting to Placentia Avenue, also a secondary road.

Master Plan Amendment No. 17 - C.C. Res. 6714 adopted March 11, 1968

Amend Street and Highway Plan to include prolongation of Ford Road as a primary road from MacArthur Boulevard to intersect Bonita Canyon Road and also realign MacArthur Boulevard as a primary road commencing at Pacific Coast Highway, continuing to San Joaquin Hills Road north to Ford Road.

Master Plan Amendment No. 18 - C.C. Res. 6933 adopted February 24, 1969

Amend Street and Highway Plan to include Bison Avenue extending from Jamboree Road to MacArthur Boulevard.

Master Plan Amendment No. 19 - C.C. Res. 6933 adopted February 24, 1969

Amend Street and Highway Plan to show Bonita Canyon Road between Palisades Road and MacArthur Boulevard changed from a major street to a secondary street.

Master Plan Amendment No. 20 - C.C. Res. 6933 adopted February 24, 1969

Amend Street and Highway Plan to include that section of Avocado Avenue extending from East Pacific Coast Highway to San Joaquin Hills Road.

Master Plan Amendment No. 21 - C.C. Res. 6937 adopted February 24, 1969

Amend Parks, Beaches and Recreation element of Master Plan to include plan for location of network of bicycle trails.

Master Plan Amendments - Page 4.

Master Plan Amendment No. 22 - C.C. Res. 7031 adopted July 14, 1969

Amend Street and Highway Plan to show southwest section of Newport Freeway (Highway 55) aligned westerly of Superior Avenue and added to Master Street and Highway Plan.

Master Plan Amendment No. 23 - C.C. Res. 7032 adopted July 14, 1969

Amend Street and Highway Plan to show 32nd Street between Newport Boulevard and Lafayette Avenue and also between Balboa Boulevard and Seashore Drive as a secondary highway.

Master Plan Amendment No. 24 - C.C. Res. 7039 adopted July 28, 1969

Amend Master Land Use Plan to establish Civic Center site in the 100 and 200 block of Newport Center along east side of Newport Center Drive, north of East Coast Highway.

Master Plan Amendment No. 25 - C.C. Res. 7187 adopted June 8, 1970

Amend Master Street and Highway Plan by realigning Bayside Drive between East Coast Highway and Jamboree Road (Marine Avenue) and to close a section of existing Bayside Drive westerly of Jamboree Road (Marine Avenue).

J. D. Drachman Associates
Transportation Consultant
53 Tunnel Road
Berkeley, California
94705
(415) 548-2873

November 2, 1970

The Irvine Company
Newport Financial Plaza
550 Newport Center Drive
Newport Beach, California 92660

Attention: Mr. Maurice McDonald

Subject: Promontory Point Residential Development Access and
Circulation Study - Letter Report

Gentlemen:

In accordance with your request following preliminary discussions on the subject study, we are pleased to submit this letter report presenting our summary of findings, conclusions, and recommendations. The report summarizes the investigations pertaining to the number and location of access points to the planned residential development, as well as the requirements for signal location and phasing.

The information contained herein is specifically intended to assist in the presentation of the proposed access and circulation elements for this planned community to the City of Newport Beach.

GENERAL ASSUMPTIONS

Basic assumptions on regional travel characteristics are a necessary input to any size traffic study. As you are aware, a continuing and comprehensive traffic planning study for the Irvine General Plan Area has been underway for some time by our firm. Its primary purpose is to help in the decision making process of day to day planning efforts. Vast data resources reflecting national and regional characteristics of traffic generation and travel desires and distribution patterns have been prepared and analyzed in relation to this regional transportation planning effort.

Additional data required for the analysis of the Promontory Point Residential development have been made available as previously developed by our firm in conjunction with the Newport Town Center Small Area Analysis. This

small area study of peak period travel characteristics encompassed an area bounded by the Ford Road and Pacific Ocean in a North-South direction and by Mac Arthur Boulevard and the Upper Newport Bay in an East-West direction respectively. In this small area analysis, a six zone macro-traffic zone structure as available from the regional study was broken down into a detailed micro-traffic zone structure composed of 40 zones. As a result of the macro-study analysis a trip table was created. This table contains all trip interchanges having one or both ends inside the Newport Town Center study area. There are two types of trips represented.

External to external trips (external to the macro zone study area) which are a reflection of the assumption on land use, population and travel characteristics of the remainder of the Irvine General Plan Area. These trips are originally segregated and later superimposed on the study area network. They are independent of any access or circulation variations within the study area, but at the same time represent travel corridor requirements which need to be satisfied by maintaining the proper level of arterial spacing and access requirements.

Internal-external trips are used to establish the linking between the study area and the remainder of the region. In this fashion, the trips generated inside the study area can be distributed to external arterial links proportional to the internal-external travel desires. The Irvine regional study has generated trips and trip-ends based upon gross generation parameters, commensurate with level of land use knowledge on an overall basis. The small area analysis technique represents a refinement for this particular area, for which more detailed land use planning can be effected. The results of a micro-generation effort was then distributed to the external stations in proportion to the regional distribution model. This technique insured a proper relationship between the small area under analysis and the remainder of the region.

TRAFFIC FORECASTING

The initial phase of this study required the determination of the total peak hour traffic volume that would be generated by the development. A number of available studies for the Southern California region and elsewhere have repeatedly pointed out that residential communities exhibit their most critical condition of loading the transportation network during the afternoon peak hour.

Of specific interest to the City of Newport Beach is a report on traffic generation, circulation, and access for a 1968 proposed Gerson Bakar residential development¹. Said report incorporated actual field data pertaining to the then proposed, and presently built Park Newport Apartment

1

De Louw Cather and Company, "Gerson Bakar Development Traffic Study", March 1968.

Project. The report corroborated the afternoon peak hour maximum load assumptions. Furthermore, it established that the afternoon peak hour represents the most critical time period due to the influence of home-to-shop trips occurring during this time period in addition to the normal work-to-home purpose trips.

The development of total traffic generation by the proposed Promontory Point development needs to be related to individual parameters, such as number of dwelling units or number of persons. In this case, it was decided that the dwelling unit parameter persistently exhibited a more stable and reliable relationship to trip generating characteristics. Trips were therefore generated for the afternoon peak hour based on the proposed and planned total development of 600 dwelling units.

A trip generation study by the Institute of Traffic Engineers - Western Section², has recommended generation rates of 0.9 afternoon peak hour trip destinations and 0.6 trip origins per person during the same period. These rates are considered conservatively high since this particular study was mostly based on single family residential areas rather than multi-family developments such as the proposed Promontory Point Residential Community.

Furthermore, the recommended rates are based on the measured average plus one standard deviation of statistical measure. On the other hand, the forecasted high family income level for future residents of the proposed Promontory Point Residential Development point toward socio-economic characteristics more commonly found in single family residential areas.

As previously stated, the proposed development will encompass a total of 600 dwelling units. The application of the recommended generation rates to these number of dwelling units would result in peak hour volumes of 540 vehicles arriving to the study area and 360 vehicles departing the study area during the afternoon peak hour.

The proposed residential development will be bounded and can therefore only be given access from one of three arterial facilities, which are:

Pacific Coast Highway

Bayside Drive

Jamboree Road

In addition, the combination of a short distance of roadway section and the existing gradient of Jamboree Road preclude the availability of said road for access purposes, while maintaining desirable traffic engineering standards. It was therefore deemed desirable to provide access to the development from one or both of the remaining bordering arterials.

Further examination of such desirable access criteria for the proposed development pointed toward a limitation of access to Bayside Drive because of two basic reasons:

- 1) Desirability of maintaining the neighborhood residential character of this roadway by limiting the number of conflict points and the demand for higher traffic carrying ability.
- 2) Desirability of providing proper access to the Promontory Point community while minimizing the assignment of vehicular traffic to the section of Jamboree Road between Pacific Coast Highway and Bayside Drive.

The existing high peak hour traffic volumes and right of way constraints of this road section would necessitate a reduction of the available green time for Pacific Coast Highway traffic at this intersection, if it were required to accommodate any substantial peak hour traffic volumes originating in the Promontory Point Residential Development.

Based on above criteria and the basic preservation of the green signal time for the movement of Pacific Coast Highway traffic volumes, it was decided to provide a direct access to Pacific Coast Highway and in this fashion diminish any additional loading of the Jamboree Road-Pacific Coast Highway intersection. Two additional "back door" access points to the development from Bayside Drive complete the selected access criteria. In addition, three exclusive points of local access for 44 of the proposed 600 dwelling units were established on Bayside Drive. These 44 units will be provided access only from Bayside Drive and are therefore excluded from any further distribution of trips.

Utilizing the vehicular origin and destination trip table developed for the Newport Town Center Small Area Analysis, it was possible to determine the expected distribution of trips to the three proposed access points, as follows:

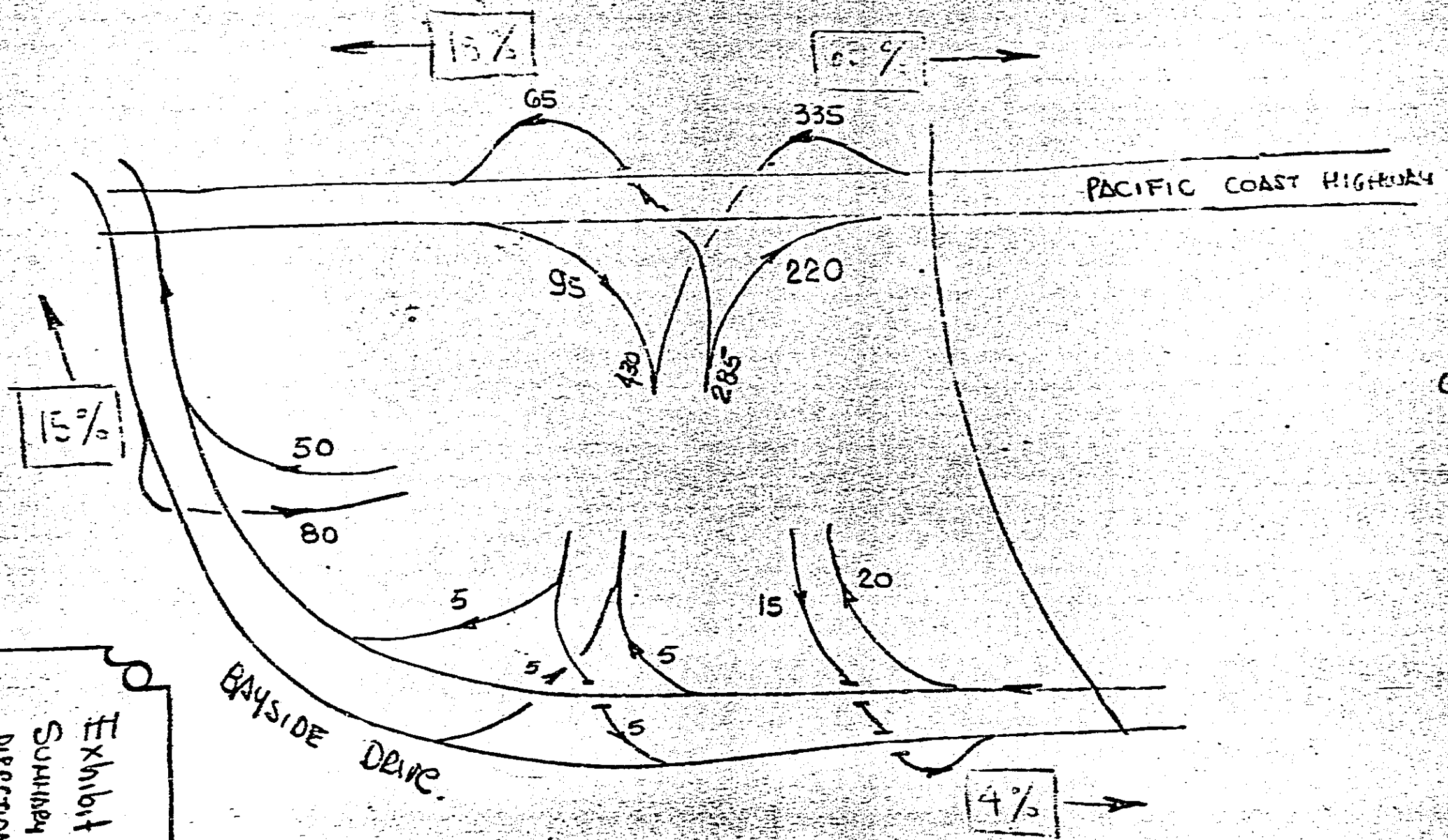
Bayside Drive - Westside Access - 15 per cent

Bayside Drive - Eastside Access - 4 per cent

Pacific Coast Highway - Total - 81 per cent

Furthermore, the forecasted directional distribution for traffic using the Pacific Coast Highway access will be 78 per cent to and from the East and 22 per cent to and from the West. Exhibit 1 summarizes the results of the travel distribution forecasts in a graphical format.

Exhibit 1 -
Summary of
Directional Distribution
Reported from the Survey



A left turn demand volume of 340 vehicles during the afternoon peak hour is indicated for the Pacific Coast Highway Westbound traffic entering the development. This demand volume indicates the forecast of the most critical condition for this particular intersection. Finally, the existing and forecasted through traffic on Pacific Coast Highway was determined from available traffic counts supplied by the City of Newport Beach Traffic Department. Volumes of 1400 Eastbound vehicles per hour and 1200 Westbound vehicles per hour respectively, are indicated.

CONCLUSIONS AND RECOMMENDATIONS

Based on the above analysis it is then possible to evaluate the volume to capacity relationship at the access point to Pacific Coast Highway. These capacity calculations were accomplished in accordance with nationwide accepted procedures, as recommended by the Highway Research Board, National Academy of Science. The results of a capacity analysis for two levels of traffic service, level E (roadway capacity) and level C (desirable traffic service for urban design practice) are shown in tables 1 and 2. The calculations are based on the assumption that a three phase signal with a special turning lane will be provided. It should be noted that the various approach volumes at this proposed intersection will satisfy the State Division of Highways warrants for a traffic signal.

Preliminary discussions have been initiated for the request of an encroachment permit on State Highway 1 (Pacific Coast Highway) at the above mentioned location. In addition, the documentation meeting the warrant for a traffic signal at this location will be forwarded to the State Division of Highways very shortly.

Tables 1 and 2 show that the proposed intersection will operate at a satisfactory level of service with no problems anticipated on any of the approach legs. At future development, when and if the freeway is constructed, it is anticipated that the operation of the access point will be further improved. At such time, the existing Pacific Coast Highway will become a one-way Eastbound frontage road to the Pacific Coast Freeway. The same access point would then become a four legged intersection with the bridge joining the North and South frontage roads directly opposite the access point. Therefore, instead of a separate left turn phase requirement as will be the case for the existing configuration, this volume will become a straight approach from the North. Such a conventional intersection approach will exhibit a significantly higher capacity than the previous special left turn lane.

The two main access points located on Bayside Drive will exhibit very light traffic volumes, compatible with the character of the roadway. No access or capacity problems are envisioned at either of these two locations. The resulting light traffic volumes, will result in a very limited peak hour traffic demand on Jamboree Road, thus optimizing the utilization of the available Pacific Coast Highway right of way.

TABLE 1

INTERSECTION CAPACITY AND UTILIZATION - LEVEL OF SERVICE E (CAPACITY)

Traffic Movement	Available Signal Phases	Green to Cycle Time Ratio	Approach Capacity (Vehicles per hour of Green Time)	Approach Capacity (vehicles per hour)	Approach Volume (Vehicles per hour)	Per cent Utilization (Volume/Capacity)
PC Highway through Eastbound	A	.45	3780	1700	1400	82
PC Highway through Westbound	A+B	.90	3780	3400	1200	35
Inbound from East (Left Turn)	B	.45	1000	450	340	76
Inbound from West (Right Turn)	A+B+C	1.00	1000	1000	100	10
Outbound to East (Right Turn)	B+C	.55	1000	550	220	40
Outbound to West (Left Turn)	C	.10	1000	100	70	70

TABLE 2

INTERSECTION CAPACITY AND UTILIZATION - LEVEL OF SERVICE C (DESIRABLE SERVICE LEVEL)

Traffic Movement	Available Signal Phases	Green to Cycle Time Ratio	Approach Capacity (Vehicles per hour of Green Time)	Approach Capacity (Vehicles per hour)	Approach Volume (Vehicles per hour)	Per cent utilization (Volume/Capacity)
PC Highway through Eastbound	A	.45	3300	1480	1400	95
PC Highway through Westbound	A+B	.90	3300	2960	1200	40
Inbound from East (Left Turn)	B	.45	800	360	340	95
Inbound from West (Right Turn)	A+B+C	1.00	800	800	100	13
Outbound to East (Right Turn)	B+C	.55	800	440	220	50
Outbound to West (Left Turn)	C	.10	800	80	70	88

The Irvine Company
Mr. Maurice Mc Donald

Page Nine
November 2, 1970

SUMMARY

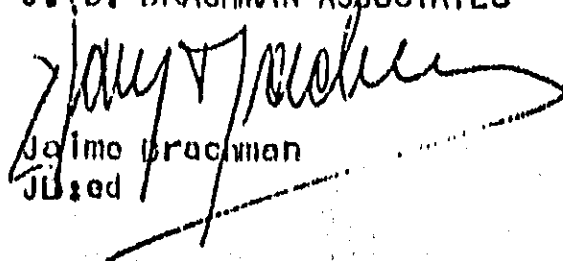
The resulting conclusions can be summarized as follows:

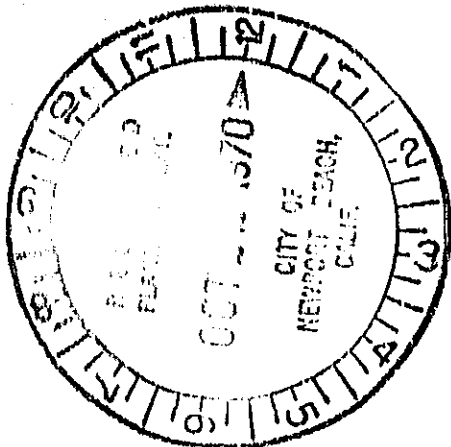
- * The promontory point residential development principal access and egress location should be on Pacific Coast Highway. This solution will optimize the travel volume/capacity ratios of surrounding arterials.
- * At maximum development of the planned residential community, and under present conditions (no Pacific Coast Freeway) the principal access to the development will operate at 82 per cent of its capacity in the most critical approach. The same access will operate at 95 per cent of a desirable level of service.
- * At maximum development of the planned residential community and assuming a future Pacific Coast Freeway, the principal access will operate well below capacity levels, and in fact at a more efficient level than at time of operation.
- * The application for an encroachment permit, the warrants for the location and phasing of a traffic signal, and the location of a freeway overpass will all be coordinated in order to provide for future expansion of the intersection with a minimum of disruption.
- * The character and volume of traffic forecasts on Bayside Drive will be maintained as a neighborhood arterial. Limitation of access to five entry points will help maintain the character of the roadway.
- * The available capacity of Jamboree Road will not be overtaxed by traffic generated by the Promontory Point Residential Development. This treatment will help maintain the necessary green cycle time for Pacific Coast Highway volume demands.

As usual, please be assured that we will be ready to assist you further and at your convenience. If you have any questions, please do not hesitate to contact me.

Sincerely yours,

J. D. DRACHMAN ASSOCIATES


Jaime Drachman
JL:ed



CITY OF NEWPORT BEACH
PLANNING DEPARTMENT

PLAN REVIEW REQUEST

Date Oct. 20, 1970

- ☐ PUBLIC WORKS DEPARTMENT
☐ TRAFFIC ENGINEER
☐ FIRE DEPARTMENT
☐ BUILDING DEPARTMENT
☐ PARKS & RECREATION
☐ POLICE DEPARTMENT
☐ HARBOR & TIDELANDS

Street Dept.

- ☒ PLANS ATTACHED (PLEASE RETURN)
☐ PLANS ON FILE IN
PLANNING DEPARTMENT

APPLICATION OF THE IRVINE COMPANY

FOR A ☐ VARIANCE

☒ USE PERMIT No. 1494

☐ RESUBDIVISION

☐ TRACT MAP

TO PERMIT construction of a 626 dwelling unit apartment house complex.

*Planners are reminded of the private
street construction & design requirements
as outlined in City's private St. policy.*

ON ~~XXX~~ PORTION OF BLOCK 94 TRACT Irvine's Sub.

ADDRESS on the southwest corner of Pacific Coast Hwy., and Jamboree Road,
north of proposed realigned Bayside Drive (Promontory Point).

REPORT REQUESTED BY October 27, 1970

COMMISSION REVIEW November 5, 1970

COMMENTS

*General Services Dept would like
to be represented at the preliminary
meetings to consider Bayside Collection,
st. maint. & street cleaning - &
it has already been determined that
these services are to be private, please
advise our office - Linda Bayley*

CITY OF NEWPORT BEACH
PLANNING DEPARTMENT

PLAN REVIEW REQUEST

Date Oct. 20, 1970

- ☒ PUBLIC WORKS DEPARTMENT - *Ben Nolan*
☐ TRAFFIC ENGINEER
☐ FIRE DEPARTMENT
☐ BUILDING DEPARTMENT
☐ PARKS & RECREATION
☐ POLICE DEPARTMENT
☐ HARBOR & TIDELANDS

☒ PLANS ATTACHED (PLEASE RETURN)
☐ PLANS ON FILE IN
PLANNING DEPARTMENT

APPLICATION OF THE IRVINE COMPANY

FOR A ☐ VARIANCE ☒ USE PERMIT No. 1494
☐ RESUBDIVISION ☐ TRACT MAP

TO PERMIT construction of a 626 dwelling unit apartment house complex.

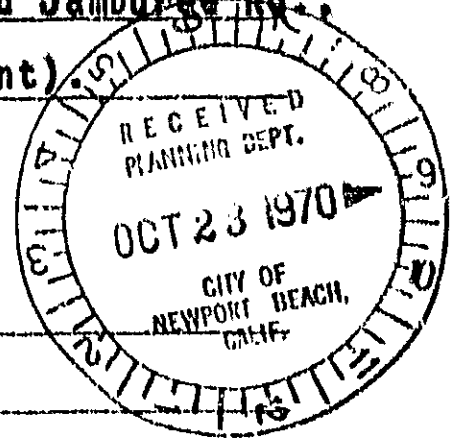
ON XXXX PORTION OF BLOCK 94 TRACT Irvine's Sub.

ADDRESS on the southwest corner of Pacific Coast Hwy., and Jamboree Rd.,
north of proposed realigned Bayside Drive (Promontory Point).

REPORT REQUESTED BY October 27, 1970

COMMISSION REVIEW November 5, 1970

COMMENTS RECOMMENDATIONS:



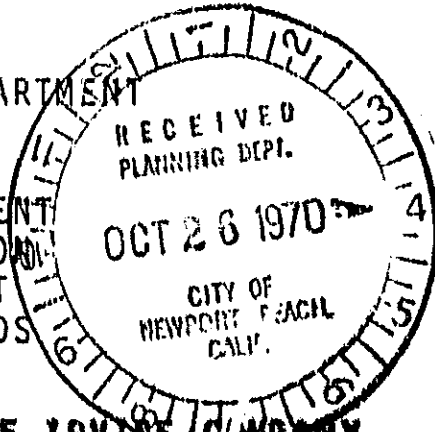
1. THAT A RESUBDIVISION AND PARCEL MAP BE FILED.
2. THAT UTILITY AND STREET IMPROVEMENTS BE CONSTRUCTED AS REQUIRED
IN CONJUNCTION WITH THE RESUBDIVISION.
3. THAT PRIVATE STREETS CONFORM WITH THE CITY PRIVATE STREET POLICY.
4. THAT THE WIDTH AND LOCATION OF THIS PRIVATE STREET CONNECTION
TO COAST HIGHWAY BE SUBJECT TO FURTHER REVIEW AND APPROVAL.
5. THAT LANDSCAPING ADJACENT TO BAYSIDE DRIVE BE DESIGNED SO THAT
SIGHT DISTANCE PROBLEMS WILL NOT BE CREATED.

CITY OF NEWPORT BEACH
PLANNING DEPARTMENT

PLAN REVIEW REQUEST

Date Oct. 20, 1970

- ☐ PUBLIC WORKS DEPARTMENT
☐ TRAFFIC ENGINEER
☒ FIRE DEPARTMENT
☐ BUILDING DEPARTMENT
☐ PARKS & RECREATION
☐ POLICE DEPARTMENT
☐ HARBOR & TIDELANDS



☒ PLANS ATTACHED (PLEASE RETURN)
☐ PLANS ON FILE IN
PLANNING DEPARTMENT

APPLICATION OF THE IRVINE COMPANY

FOR A ☐ VARIANCE ☒ USE PERMIT No. 1494
☐ RESUBDIVISION ☐ TRACT MAP

TO PERMIT construction of a 626 dwelling unit apartment house complex.


ON PORTION OF BLOCK 94 TRACT Irvine's Sub.

ADDRESS on the southwest corner of Pacific Coast Hwy., and Jamboree Rd.,
north of proposed realigned Bayside Drive (Promontory Point).

REPORT REQUESTED BY October 27, 1970

COMMISSION REVIEW November 5, 1970

COMMENTS Conditional approval is hereby made for this project on condition
that access for fire equipment is adequate and water mains and fire hydrant number
and location are satisfactory to this Department.


R.J. Briscoe, Fire Chief

AFFIDAVIT OF PUBLICATION

NEWPORT HARBOR ENSIGN

STATE OF CALIFORNIA } ss.
County of Orange }

I, ARVO F. HAAPA, being first
duly sworn, and on oath depose and say that I am the
printer and publisher of the Newport Harbor Ensign, a
weekly newspaper printed and published in the City of
Newport Beach, County of Orange, State of California,
and that the NOTICE OF PUBLIC HEARING

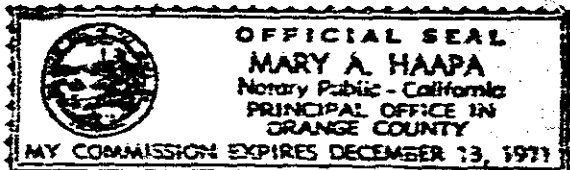
_____ of which
copy attached hereto is a true and complete copy, was
printed and published in the regular issue(s) of said
newspaper, and not in a supplement, 1 consecu-
tive times: to-wit the issue(s) of

Oct. 22, 1970

(Signed) Arvo F. Haapa

Subscribed and sworn to before me this 30th day of
October, 1970

Mary A. Haapa
Notary Public in and for the
County of Orange, State of California.



LEGAL NOTICE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of the City of Newport Beach will hold a public hearing on the application of THE IRVINE COMPANY for a Use Permit No. 1494 on property located on the southwest corner of Pacific Coast Hwy. and Jamboree Rd., north of proposed realigned Bayside Drive (Promontory Point) to permit construction of a 628 dwelling unit apartment house complex.

Notice is hereby further given that said public hearing will be held on the 5th day of November, 1970, at the hour of 8:00 p.m. in the Council Chambers of the Newport Beach City Hall, at which time and place any and all persons interested may appear and be heard thereon.

Don R. Ackinson, Secretary
Newport Beach City
Planning Commission
Publish: Oct. 22, 1970, in
the Newport Harbor Ensign.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of the City of Newport Beach will hold a public hearing on the application of

THE IRVINE COMPANY

for a ☐ Variance ☒ Use Permit No. 1494

on property located ~~at~~ on the southwest corner of Pacific Coast Hwy.
and Jumboree Rd., north of proposed realigned Nayside Drive (Promontory
Point)
to permit construction of a 626 dwelling unit apartment house
complex.

Notice is hereby further given that said public hearing will be held on the 5 day of November 19 70, at the hour of 0:00 P.M. in the Council Chambers of the Newport Beach City Hall, at which time and place any and all persons interested may appear and be heard thereon.

Don R. Adkinson, Secretary
Newport Beach City
Planning Commission

Publication Date 10/22
Received for Pub. 10/22
By DMR

October 19, 1970

Planning Commission
City of Newport Beach
3300 West Newport Boulevard
Newport Beach, California 92660

RE: Promontory Point Apartments

Gentlemen:

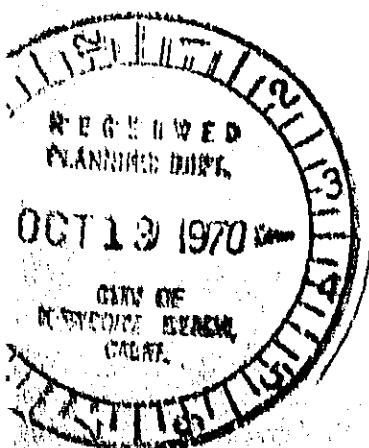
The Irvine Company wishes to take this opportunity to request that the Planning Commission take action to approve the conditional use permit allowing construction of apartment units on the property located southwest of the intersection of Pacific Coast Highway and Jamboree Road.

The project, as presented to the Planning Commission on 8/20/70 at one of the Commission's regular study sessions, will have a Mediterranean theme of red roofs and white stucco. It will be textured with materials such as heavy wood and ceramic tile and will be heavily landscaped to develop an inviting environment for those inside the project as well as those passing by the project.

The land area, density and unit types are as follows:

1. Land Area: 29.55 acres (See Exhibit A & B of the application)
2. Density: 21 dwelling units per acre
3. Total Number of Dwelling Units: 620
4. Unit Size & Unit Mix:

<u>Unit Type</u>	<u>Number</u>	<u>% Mix</u>	<u>Avg. Size</u>
1 bdr, 1 bath	182	29%	824 s.f.
1 bdr, den, 1 bath	118	19%	982 s.f.
2 bdr, 1-3/4 bath	260	42%	1151 s.f.
2 bdr, den, 1-3/4 ba.	60	10%	1367 s.f.
Totals	620	100%	1043 avg.



10-19-70

5. Parking:

Types: Concrete structures, carports & garages
Ratio:

Tenant covered	1.0 per D.U.
Tenant uncovered	0.5 per D.U.
Guest uncovered	0.2 per D.U.
Storage	<u>0.05</u> per D.U.
Total	1.75 per D.U.

Included with the conditional permit application are the following drawings for your review:

1. The legal description (Exhibit A)
2. The legal plat map (Exhibit B)
3. The precise site plan
4. The proposed site grading concept
5. The conceptual project rendering to establish the general character of the project.
6. Prototypical exterior elevations of the buildings.

Your consideration in this request is greatly appreciated. Further, a representative of The Irvine Company will be present at the public hearing to answer any question that you may have relative to this matter.

Very truly yours,



William R. Watt
General Manager
Multi-Family Development/Management

WRW/MMcD/d

encls

CITY OF NEWPORT BEACH -- PLANNING DEPARTMENT

TO: City Manager
FROM: Planning Director
SUBJECT: Proposed Promontory Point Apartments

On Tuesday, August 11, 1970, a meeting was held by the Irvine Company to introduce their proposed Promontory Point Apartment Project to officials from several City departments, including the following:

Building Department - Grant and Fowler
Public Works Department - Nolan
Fire Department - Noller
Parks, Beaches and Recreation - Stewart
Planning Department - Wilson

Another meeting will be held in the 5th Floor Conference Room, Irvine Company Offices, at 3:00 P.M. on Thursday afternoon, August 20, 1970, at which the proposal will be introduced to the Planning Commission. This meeting will be in lieu of the regular Planning Commission Study Session.

The proposal involves property bounded by Pacific Coast Highway on the north, the realignment of Bayside Drive and the Bayside Shopping Center on the south, Jamboree Road on the east and the Chick Iverson Volkswagen Agency on the west. It contains 626 apartment units in the following proportions:

One bedroom	40%
One bedroom and den	10%
Two bedroom	40%
Two bedroom and den	10%

Rentals would range from approximately \$225 to \$405 per month. Children would be excluded.

The Irvine Company schedule calls for filing of applications in September; Planning Commission hearings in October; start of construction in May, 1971; occupancy of first apartment units in May 1972; and occupancy of the last apartment units in 1975 or 1976. The plan calls for massive grading, all of which would be done for the entire area prior to construction of buildings

5/14/70

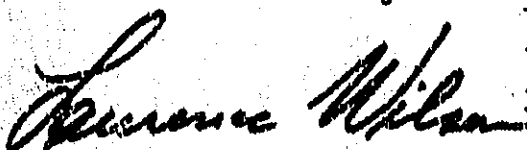
TO: City Manager - 2.

on any portion. Building heights are generally two or three stories over garages. However, buildings are arranged in such a way that some have as many as six levels terraced against the hillsides. The project is intended to comply with building and fire codes allowing wood and stucco construction.

We do not yet have any copies of plans; however the Irvine Company has promised to furnish preliminary plans and studies within the next few days.

NOTE: The Planning Department received copies of the following on Friday morning, August 14, 1970:

1 Site Plan
1 Grading Plan
3 Cross Sections



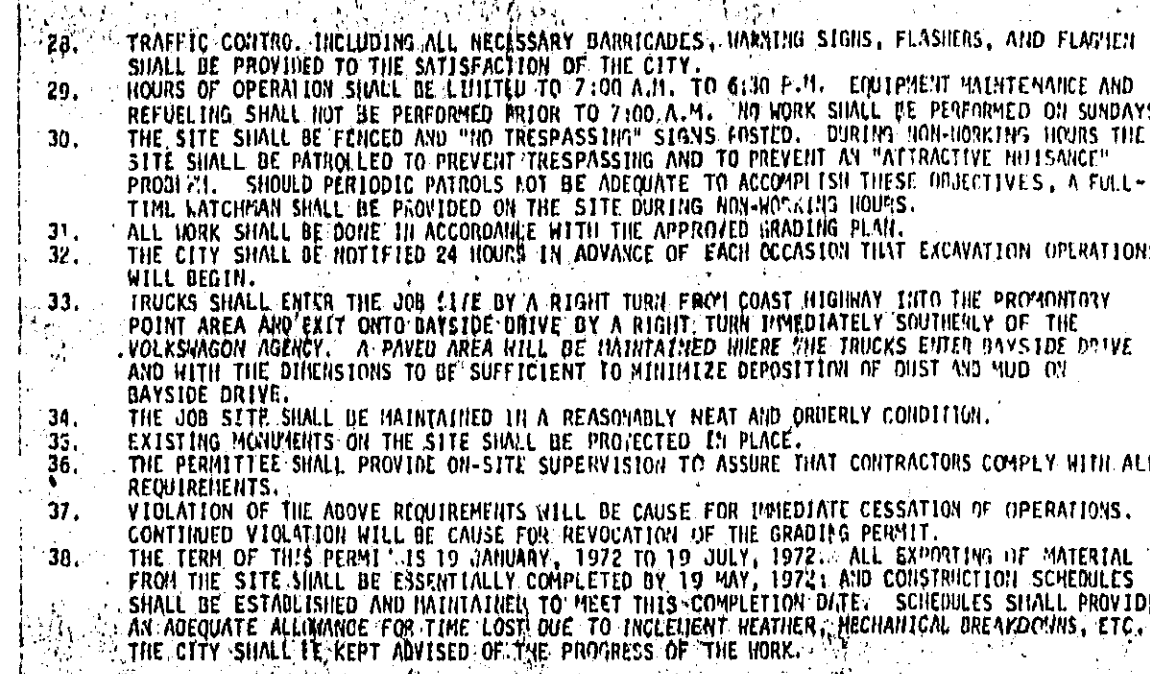
SIGNATURE

Laurence Wilson
Planning Director

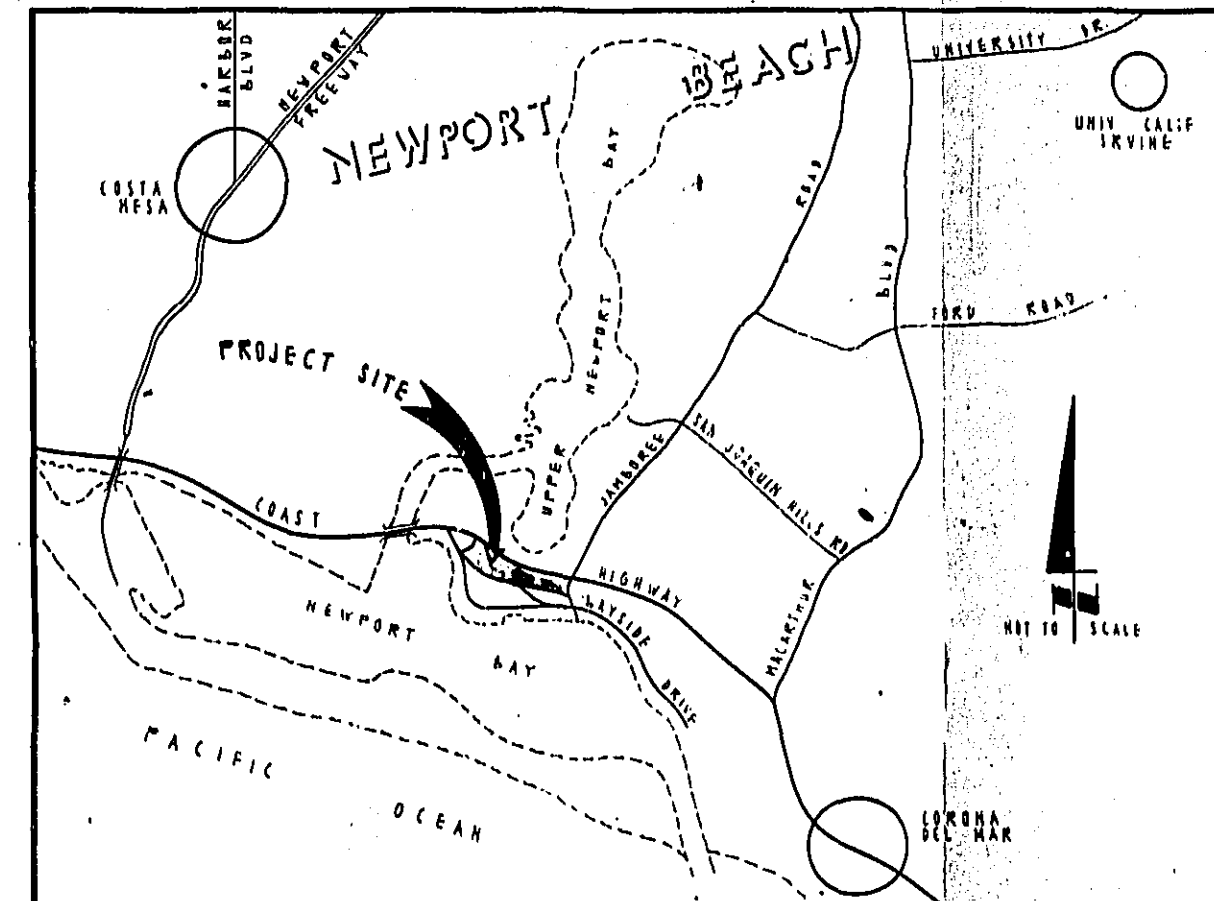
August 13, 1970

DATE

LW/kk



- [illegible]



BENCH MARK U.S.C. & G.S. C-771

A BRASS DISC, STAMPED "C-771-1945" LOCATED AT THE SW¹/₄ CORNER OF EAST COAST HIGHWAY (U.S. 101) AND JAKOBEE ROAD AT CROSS-JUNCTION OF MARKING AREA. LEADING SOUTH TO BACKWASH FLANK, AT 10-INCH CONCRETE PIPE COVERT & 90° SW, IN THE TOP OF THE SOUTH SIDEWALK, 58' W. OF APPROXIMATE CENTER OF THE END OF A TRAILER ISLAND IN THE CENTER OF THE AVENUE 56% S. OF THE E. OF THE HIGHWAY, 0.3' E. OF THE W. END OF SIDEWALK, AND ABOUT 4' LOWER THAN THE HIGHWAY.

REL. = 79.585
HL. 0.2 x 0.4 x 0.1 INCH

PREPARED FOR:
THE IRVINE COMPANY
550 NEWPORT CENTER DRIVE
NEWPORT BEACH, CALIFORNIA
TEL: (714) 644 - 3226

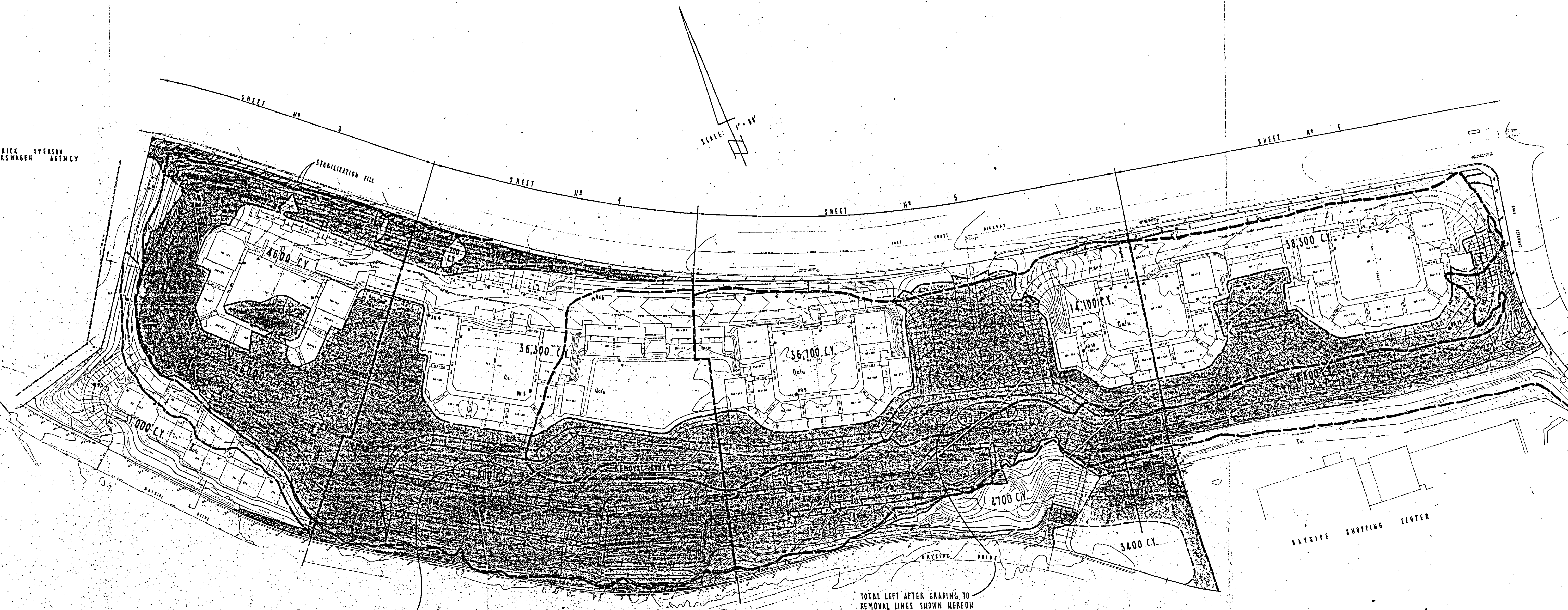
UNDERGROUND STRUCTURES

ALL UNDERGROUND UTILITIES OR STRUCTURES REPORTED BY THE OWNER OR OTHERS AND THOSE SHOWN ON THE RECORDS EXAMINED ARE INDICATED WITH THEIR APPROXIMATE LOCATION AND DEPTH EXCEPT WHERE SHOWN OTHERWISE. THE CONTRACTOR SHALL MAKE IMPROVEMENTS NECESSARY THEREAFTER TO ASSUME LIABILITY. "DO TO HOLD UNDERGROUND IMPROVEMENTS HARMLESS FOR ANY DAMAGE RESULTING FROM THE EXISTENCE OF UNDERGROUND UTILITIES OR STRUCTURES REPORTED BY THE OWNER OR OTHERS AND THOSE SHOWN ON THE PUBLIC RECORDS EXAMINED. LOCATED AT VARIANCE WITH THAT REPORTED OR SHOWN ON RECORDS EXAMINED. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONS AND MEASURES TO PROTECT THE UTILITIES OR STRUCTURES EXPOSED AND ANY OTHER UTILITIES OR STRUCTURES FOUND AT THE SITE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO LOCATE, EXPOSE, AND PROTECT ALL UTILITIES OR STRUCTURES CONCERNED BEFORE STARTING WORK."

A BRONZE DISC STAMPED "C-71-1945" LOCATED AT THE SWLY CORNER OF EAST COAST HIGHWAY (U.S. 1) AND JAMBORKE ROAD AT CLASS-JUNCTION OF MARINE AVE. LEADING SOUTH TO GALABA ISLAND FERRY, AT 18-INCH CONCRETE PIPE CULVERT @ 80 & 57, IN THE TOP OF THE SOUTH HEADWALL, 58' W. OF APPROXIMATE CENTER OF THE RD. AT A TRAFFIC ISLAND IN THE CENTER OF THE AVENUE 56 1/2' S. OF THE C. & OF THE HIGHWAY, 0.3' E. OF THE W. END OF HEADWALL, AND ABOUT 1' LOWER THAN THE HIGHWAY.

5/5/72	⚠	ADDED DRAINS FOR RETAINING WALLS	
DATE	NO	REVISION	

CHUCK LYERSON
VOLKSWAGEN AGENCY



TOTAL LEFT AFTER GRADING
TO REMOVAL LINES SHOWN HEREON

TOTAL LEFT AFTER GRADING TO
REMOVAL LINES SHOWN HEREON

INDEX MAP

ESTIMATED EARTHWORK QUANTITIES		
ITEM	EXCAVATION (CY)	EMBANKMENT (CY)
SITE TOTAL	100,700	168,700
EXCAVATION AND RECONSTRUCTION OF STOCKPILED FILL, HYDRAULIC FILL AND TOPSOIL	61,400	61,400
EXCAVATION AND RECOMPACTION FOR STABILITY FILL	12,000	12,000

LEGEND	
PAD = 53.0	ROUGH GRADE PAD ELEVATION
Qafu	STOCKPILED FILL CONDITION
Qt	TERRACE DEPOSITS CONDITION
Tm	MONTEREY SHALE CONDITION
Tc	CRIPSTANNO FORMATION CONDITION
	GEOLOGIC SOIL CONDITION BOUNDARY
	TOP OF WALL
	FINISHED GRADE
	VERTICAL CUT
	PAY-LITE LINE
	CUT AREAS
	3400 CY FILL AREAS

UP 1494
(REVISED)
2810

DATE NO REVISION BY OF

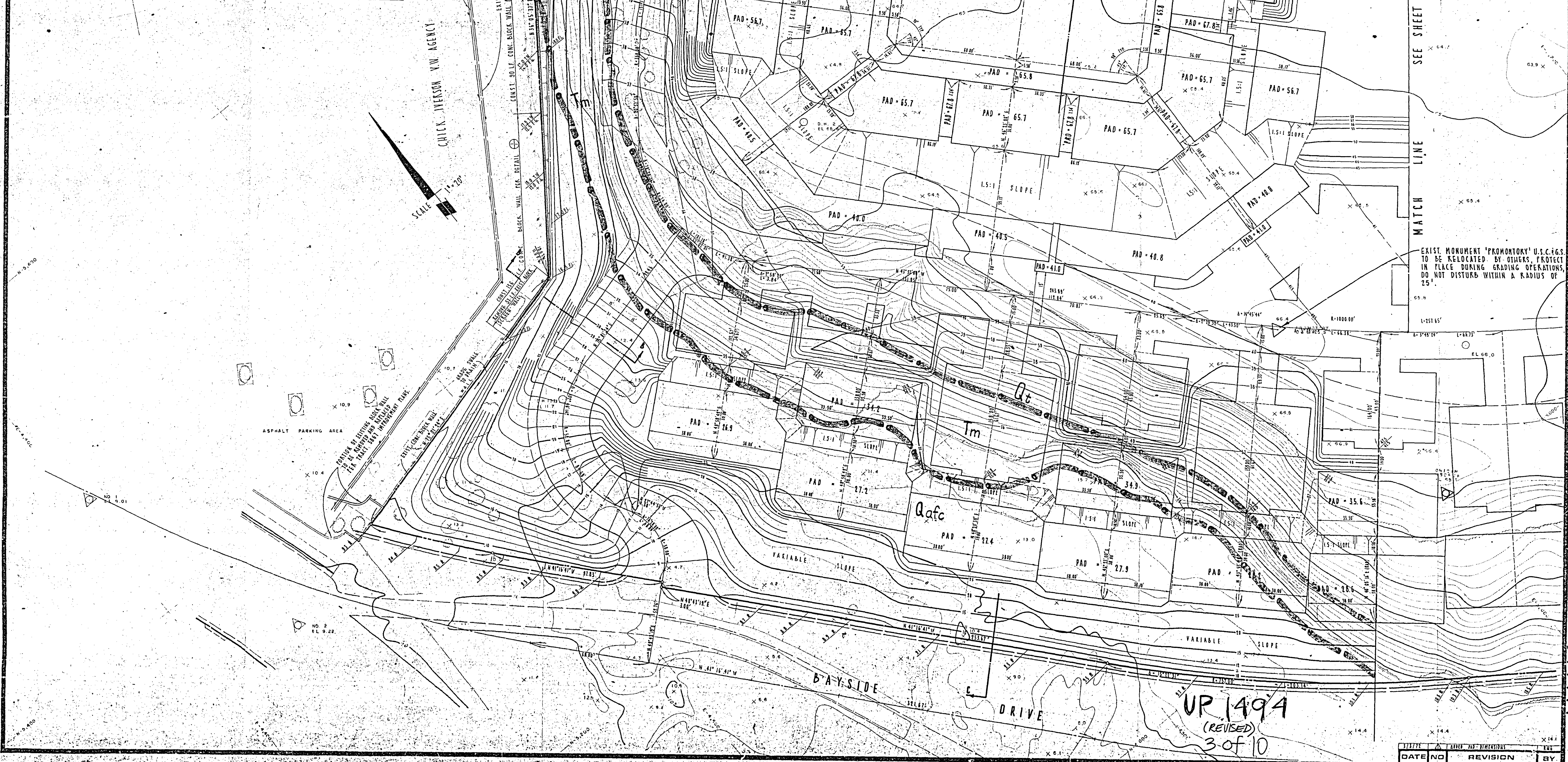
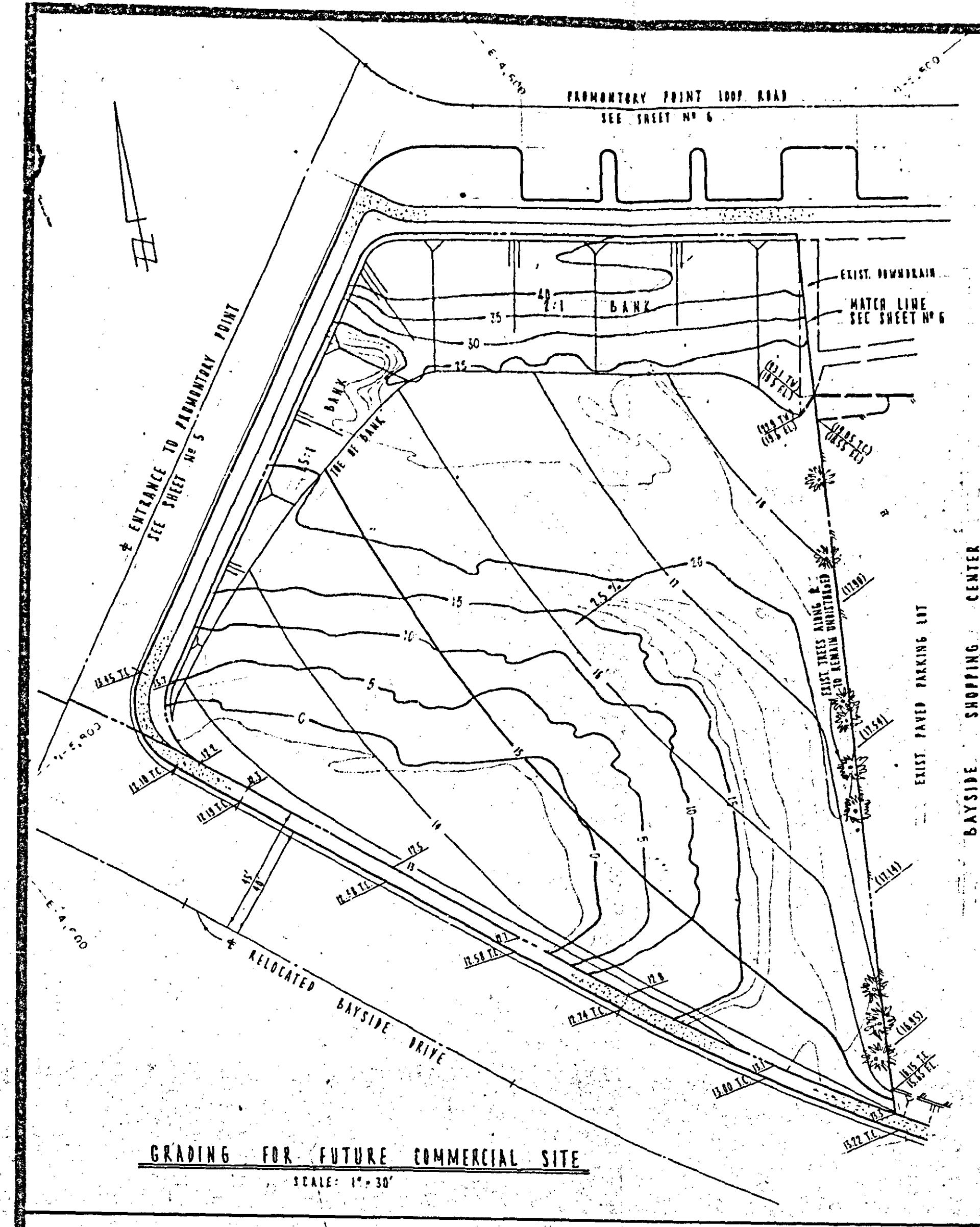
RAUB, BEIN, FROST
AND ASSOCIATES
CIVIL AND STRUCTURAL ENGINEERS
LAND SURVEYORS AND PLANNERS
1314 W. 14TH AVE., SUITE 100
OAKLAND, CALIFORNIA 94612
TEL: (415) 541-1000
FAX: (415) 541-1001
DATE: 11/11/1992
PAGE NO. 1/1

FISHER-FRIEDMAN-ASSOCIATES
ARCHITECTS AND PLANNING CONSULTANTS
242 CALIFORNIA STREET
SAN FRANCISCO

THE IRVINE COMPANY
NEWPORT BEACH, CALIFORNIA
PROMONTORY
7027

GRADING IMPROVEMENTS
PROMONTORY POINT APARTMENTS

SCALE	
DRAWN	
CHECK	
DATE	
JOB	
SHEET	2



RAUB, BEIN & FROST
AND ASSOCIATES
ARCHITECTS AND PLANNING CONSULTANTS
242 CALIFORNIA STREET
SAN FRANCISCO
CALIFORNIA 94102
TELEPHONE 398-1111
FAX 398-1112

FISHER, FRIEDMAN, ASSOCIATES
ARCHITECTS AND PLANNING CONSULTANTS
242 CALIFORNIA STREET
SAN FRANCISCO
CALIFORNIA 94102
TELEPHONE 398-1111
FAX 398-1112

PROMONTORY

7027

GRADING IMPROVEMENTS
PROMONTORY POINT APARTMENTS

SCALE
DRAWN
CHECK
DATE
JOB
SHEET
3
OF 6



RAUB • BEIN • FROST
CIVIL AND ARCHITECTURAL ENGINEERS
LAND SURVEYORS AND PLANNING CONSULTANTS
242 CALIFORNIA STREET
SAN FRANCISCO
CALIFORNIA 94102
TELEPHONE (415) 398-1222
FAX (415) 398-1223
DATE 11 JAN 77
SHEET 4 OF 6

FISHER • FRIEDMAN • ASSOCIATES
ARCHITECTS AND PLANNING CONSULTANTS
242 CALIFORNIA STREET
SAN FRANCISCO
CALIFORNIA 94102
TELEPHONE (415) 398-1222
FAX (415) 398-1223
DATE 11 JAN 77
SHEET 4 OF 6

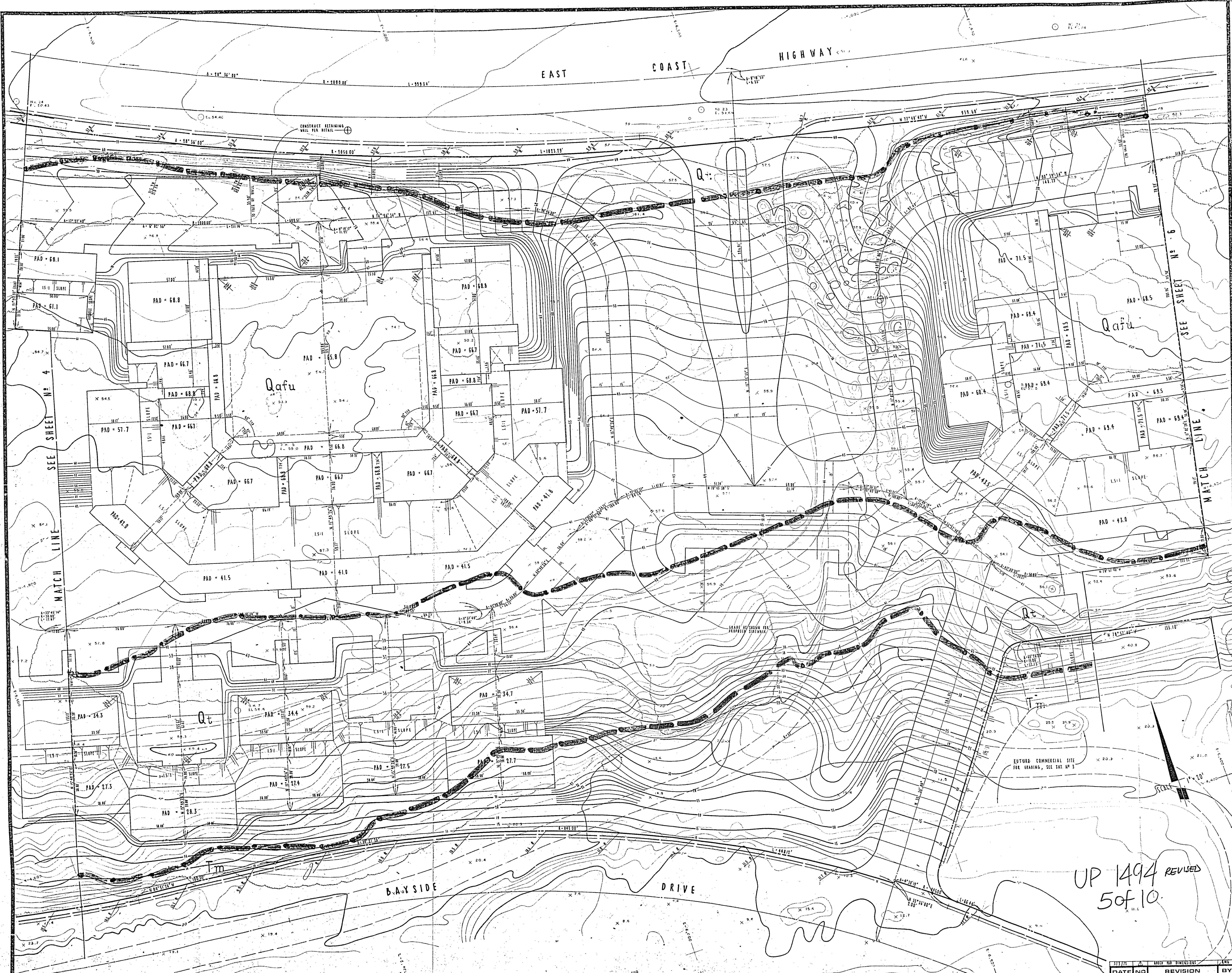
PROMONTORY
7027

GRADING IMPROVEMENTS
PROMONTORY POINT APARTMENTS

SCALE	
DRAWN	
CHECK	
DATE	
JOB	
SHEET	4

DATE NO REVISION BY

UP 1491 REVISED 4-10



UP 1494 REVISED
5 of 10

RAUB, BEIN, FROST
AND ASSOCIATES
CIVIL ENGINEERS AND PLANNERS
310 W. GILBERT STREET
SAN FRANCISCO, CALIF. 94102
DATE 11 JAN 72
SHEET NO. 17-13

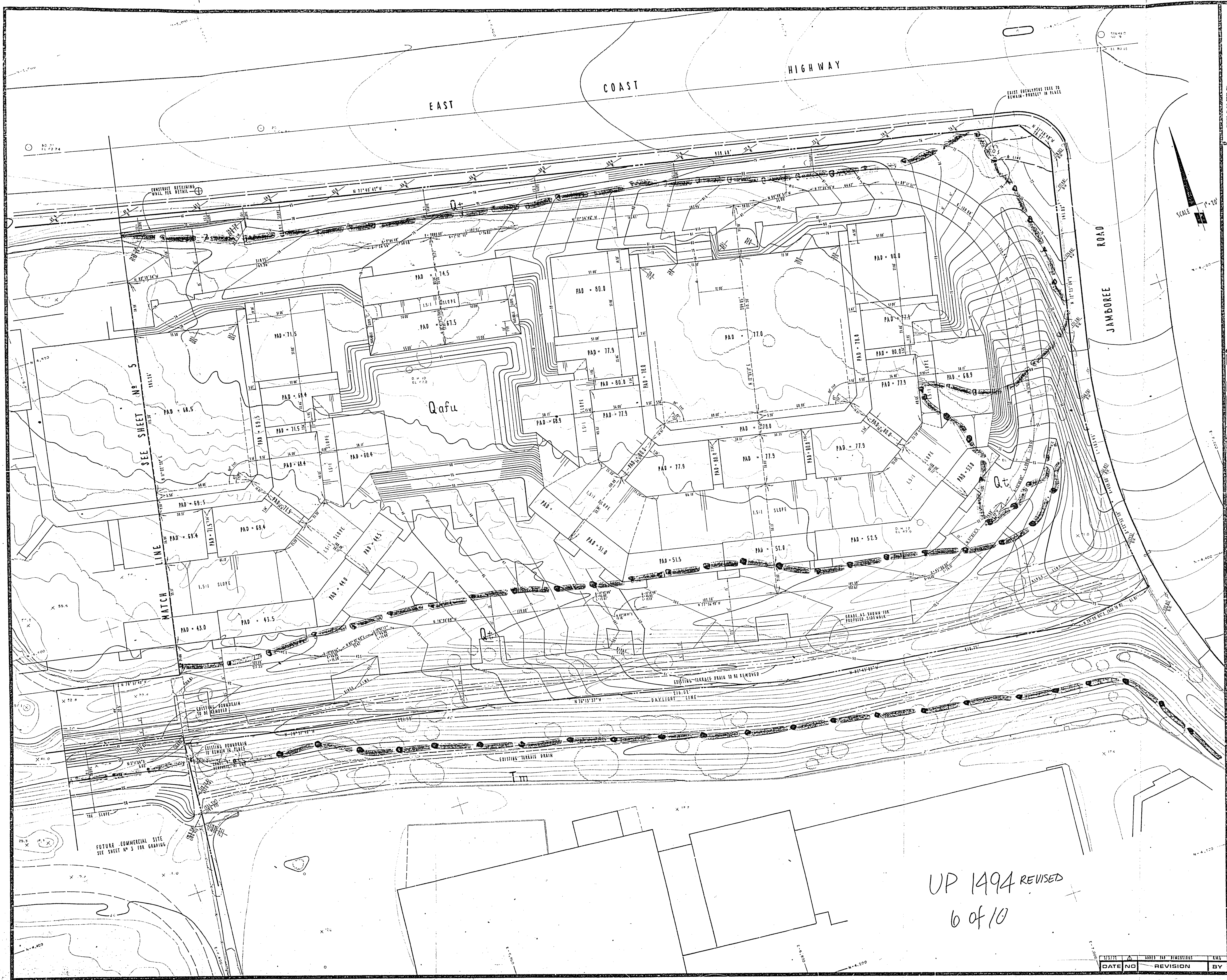
FISHER, FRIEDMAN, ASSOCIATES
ARCHITECTS AND PLANNING CONSULTANTS
945 CALIFORNIA STREET
SAN FRANCISCO, CALIF. 94109

POINT MONTON
7027

GRADING IMPROVEMENTS
POINT MONTON APARTMENTS

SCALE	
DRAWN	
CHECK	
DATE	
JOB	
SHEET	5

DATE	NO.	REVISION	BY



SEE SHEET NO. 5
MATCH LINE

FUTURE COMMERCIAL SITE
SEE SHEET NO. 3 FOR GRADING

UP 1494 REVISED
6 of 10

RAUB • BEIN • FROST
CIVIL AND STRUCTURAL ENGINEERS
1155 ROCKEFELLER STREET
LOS ANGELES, CALIFORNIA 90025
TEL: (213) 487-1111
FAX: (213) 487-1112

FISHER • FRIEDMAN • ASSOCIATES
ARCHITECTS AND PLANNING CONSULTANTS
242 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA 94102
TEL: (415) 398-1111
FAX: (415) 398-1112

PROMONTORY
7027

GRADING IMPROVEMENTS
PROMONTORY POINT APARTMENTS

SCALE	
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CHECK	
DATE	
JOB	
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DATE	NO.	REVISION	BY

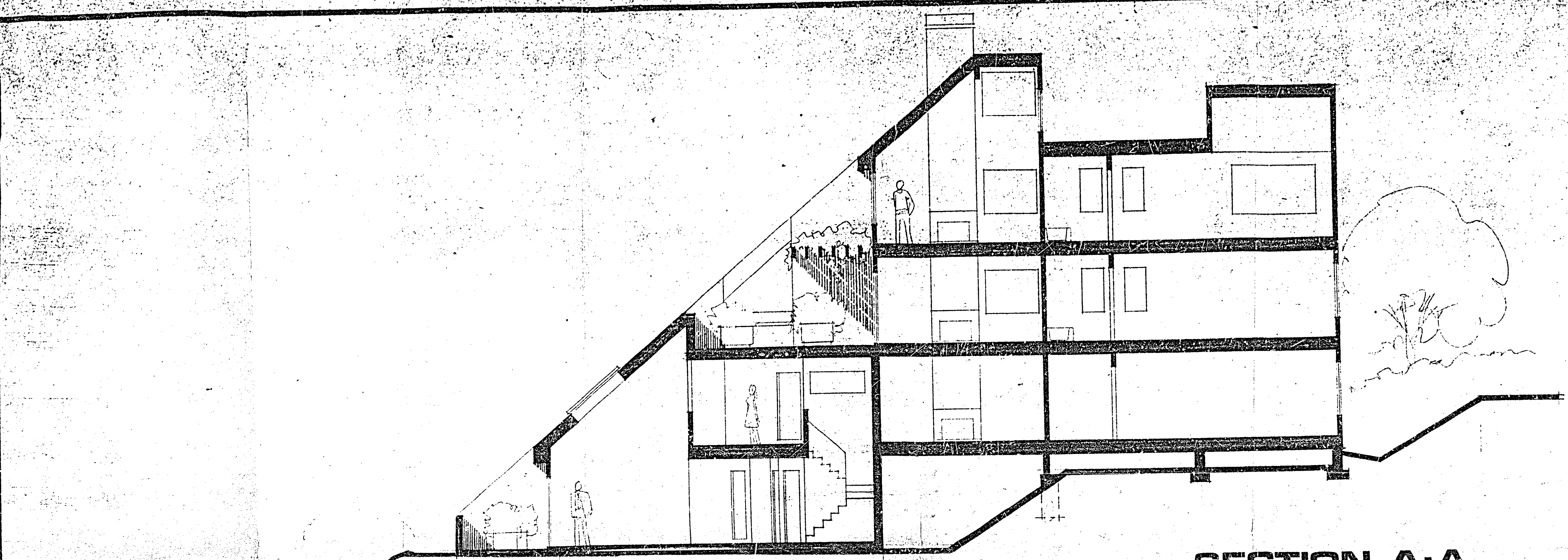


LEGEND

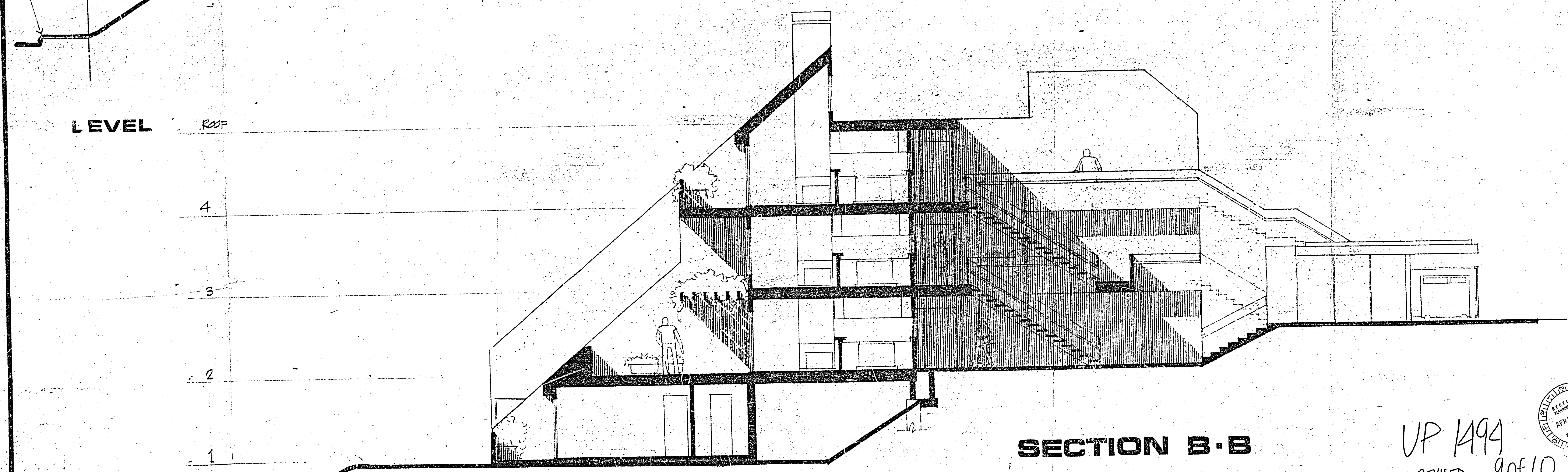
----- PEDESTRIAN/BICYCLE EASEMENTS
 * OVERLOOK OR VISTA POINT
 ↓ DIRECTION OF VIEW

SCALE: 1"=60'
 PUBLIC EASEMENTS
 SITE PLAN
 PROMONTORY POINT APARTMENTS
 THE IRVINE COMPANY
 FISHER-FRIEDMAN ASSOCIATES - ARCHITECTS
 SASAKI-WALKER ASSOCIATES - LANDSCAPE ARCHITECTS
 RAUB-BEIN-FROST ASSOCIATES - ENGINEERS
 JULY 1, 1971
 IRV 25c

UP 1494
 REVISED
 8 of 10



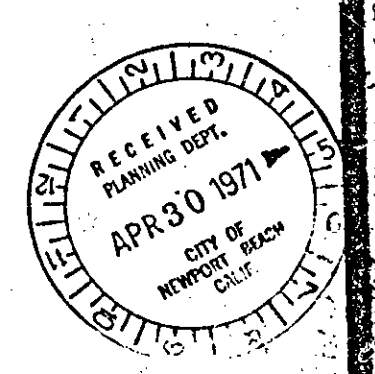
SECTION A-A



SECTION B-B

TYPICAL SECTIONS AT BAYSIDE DR

UP 1494
REVISED 9 of 10
[Handwritten signature]



FISHER-FRIEDMAN ASSOCIATES
ARCHITECTS AND PLANNING CONSULTANTS
242 CALIFORNIA STREET
SAN FRANCISCO

THE IRVING COMPANY
NEWPORT BEACH, CALIFORNIA

REVISIONS
BUILDING TYPE II
7027

SECTIONS
BUILDING TYPE II

SCALE
DRAWN
CHECK
DATE 4/20/71
JOB
SHEET

24

DATE NO REVISION BY

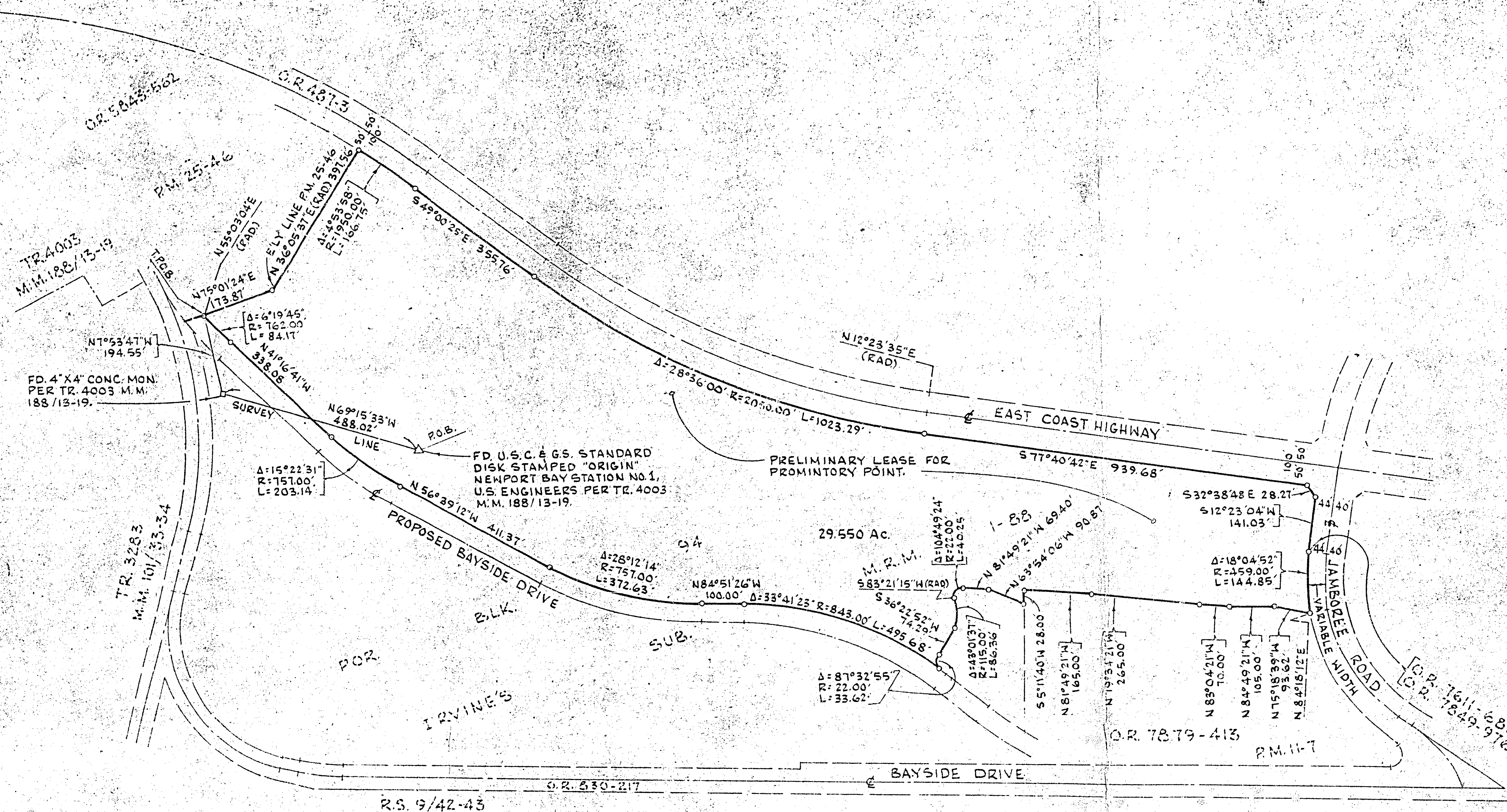


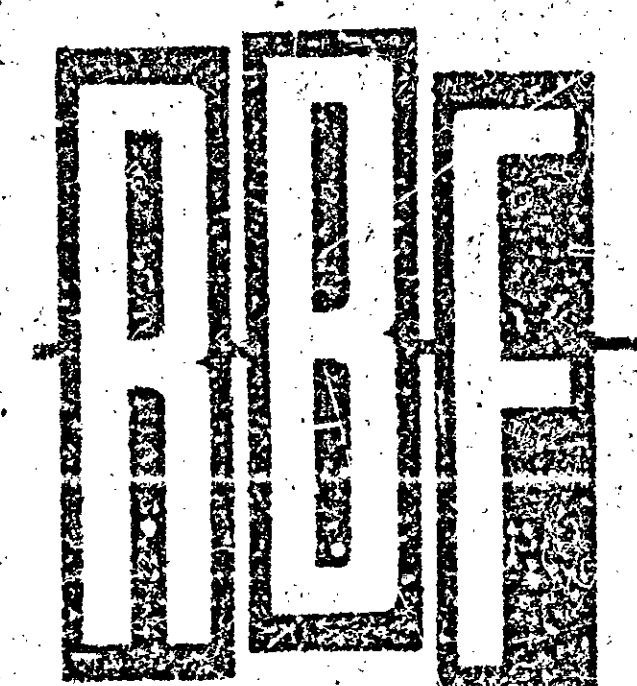
EXHIBIT "B"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

FOR PRELIMINARY LEASE FOR PROMONTORY POINT
 BEING A PORTION OF BLOCK 94 OF IRVINE'S SUBDIVISION
 PER MAP RECORDED IN BOOK 1, PAGE 88, OF M.R.M.
 RECORDS OF ORANGE COUNTY, CALIFORNIA.

PREPARED FOR:
 THE IRVINE COMPANY
 550 NEWPORT CENTER DRIVE
 NEWPORT BEACH, CALIFORNIA

UP 1494 10 of 10
 REVISED
~~10 of 10~~



RAUB · BEIN · FROST
AND ASSOCIATES
 CIVIL ENGINEERS AND LAND SURVEYORS
 175 ROCHESTER STREET
 COSTA MESA, CALIFORNIA TEL (714) 548-7723
 DRAWN BY J.Y.L. DATE 10-12-70 SCALE 1"=200' JOB NO. 11092